

FEDERAL BUREAU OF INVESTIGATION
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FOI/PA# 1185637-0

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1 - Mr. W. R. Wannall

May 20, 1974

The Attorney General

65-75085-398

Director, FBI

RODINO COMMITTEE REQUEST FOR
NATIONAL SECURITY WIRETAP RECORDS

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 5/5/02 BY 7858-SK/plc/mld

Enclosed is a copy of a letter dated May 14, 1974, which I have received from Congressman Peter W. Rodino, Jr., wherein he requests on behalf of the Committee on the Judiciary of the House of Representatives specific documents relating to wiretap coverage instituted at the request of the White House, along with a copy of my response to Congressman Rodino.

Since I do not feel that I have the authority to comply with his request, I have enclosed copies of each of the documents which he requested for your review and response to Congressman Rodino.

It is noted that certain documents pertaining to Morton H. Halperin are under a protective order issued by the United States District Court in connection with Halperin v. Kissinger and that Congressman Rodino states that a request has been made to the Court for a modification of the Court's Order prohibiting disclosure of these documents.

Mr. James Wilderotter, Associate Deputy Attorney General, has previously been advised of this request.

Enclosures - 154

- 1 - The Deputy Attorney General
- 1 - The Deputy Associate Attorney General

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
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Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

JWD:rfk
(6)

b6
b7C

TOP SECRET MATERIAL ATTACHED

MAIL ROOM ☐

TELETYPE UNIT ☐

65-75085

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Congress of the United States
Committee on the Judiciary
House of Representatives
Washington, D.C. 20515

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COUNSEL
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ALEXANDER B. COOK
CONSTANTINE J. GEKAS

May 14, 1974

OSPECON

Clarence M. Kelley, Director
Federal Bureau of Investigation
Department of Justice
Washington, D. C. 20530

Dear Director Kelley:

After contact with Assistant FBI Director Tom Smith, one of the attorneys on the House Judiciary Committee Special Inquiry Staff has completed an initial review of the FBI files on the "June" wiretaps instituted at the request of the White House from May 10, 1969, through February 10, 1971. As you know, one of the areas of inquiry with which the Judiciary Committee was charged by the House of Representatives in H. Res. 803 is allegations concerning electronic and other surveillance activities conducted or instigated by the White House. In the area of the 1969 "June" wiretaps, it is necessary for the staff to be able to report to the Judiciary Committee the facts concerning the basis for the wiretaps, the nature of the material transmitted to the President, Dr. Kissinger, Mr. Haldeman and Mr. Ehrlichman, and the FBI's investigation into the removal of the logs and files from the FBI and the retention of those files and logs in the White House.

The examination of the materials at the FBI has indicated that the parts* of your files listed in the appendix to this letter are necessary to our consideration of this matter.

*/
We understand that all of the materials related to these wiretaps bear the base file number 65-75085, followed by a serial or sequence number. The references contained in the appendix are therefore to the sequence numbers only, with the base file numbers being omitted.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 5/5/82 BY 7458 SP/kl/mde

65-75085-398

3 JUN 5 1974

1-ENCLOSURE

*Let to the AG 1- The Dep. Chief AG (Enclosures - 154) JWD: yfk
Let to Cong. Rodino 5-20-74 VWD: nll*

Tom

Clarence M. Kelley, Director

Page 2

May 14, 1974

Part II of the Appendix lists documents now on file at the United States District Court in the Halperin v. Kissinger suit, CA 1187-73, District Court for the District of Columbia. A request to the Court is being made for a modification of the Court's Order prohibiting disclosure of the documents under seal to permit the FBI to furnish copies of those documents to us directly rather than copying the Court's sealed material. We will advise you of the Court's action on that part of the documents.

For our purposes, photocopies of the documents will be satisfactory. We would appreciate it if we could obtain copies not later than May 20, 1974.

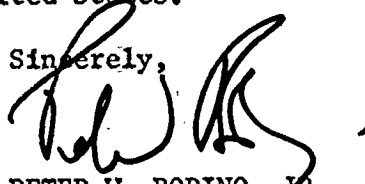
If there are any questions as to the documents sought or other matters relating to the wiretap files, I would appreciate it if your representative would contact Mr. [redacted], Associate Counsel, on the Special Inquiry Staff, at [redacted]

b6
b7C

The materials furnished will be maintained by the Judiciary Committee staff in a secure area, and may be examined only by the members of the Committee. Copies will not be made public.

We appreciate your cooperation on this matter, and again I assure you that this request is made based on the necessity of the documents to a full, fair and impartial inquiry pursuant to the high Constitutional duty of the House of Representatives to determine whether or not sufficient grounds exist for the House to impeach the President of the United States.

Sincerely,



PETER W. RODINO, JR.
Chairman

INSTRUCTIONS: This form is to be removed from file by a Filing Unit employee only upon the return of the item.

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<input checked="" type="checkbox"/> Incoming letter	<u>Hon Clarence M. Kelley</u>	<u>5/14/74 (Ser 398)</u>
<input type="checkbox"/> Outgoing letter		
<input type="checkbox"/> Memorandum		
<input type="checkbox"/> Airtel		
<input type="checkbox"/> Teletype		
<input type="checkbox"/> Enclosure (describe)		
<input type="checkbox"/> Laboratory Work Sheet		
<input type="checkbox"/> Personnel Security Questionnaire (PSQ)		
<input type="checkbox"/> Loyalty Form		
<input type="checkbox"/> Other (describe)		
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<input checked="" type="checkbox"/> Mr.	b6 b7C	
<input type="checkbox"/> Mrs.		
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Reason for Removal		
<input type="checkbox"/> For copying (If for another agency, list agency and date of request.)		
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<input type="checkbox"/> To attach to		
<input type="checkbox"/> For office use		
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Complete File and Serial Number <u>65-75085-398 pgs 1-2 of Appendix</u>		

A P P E N D I X

PART II

(Documents filed in Halperin v. Kissinger)

(1) SN 65-75085-14 (basic document), together with tabs:

5	Wells	
6	Wells	
7	Wells	
16		b6
17		b7C
20	William Sullivan	
21	Mardian	
22	Mitchell	
24	Miller, together with two attachments; one dated 10/20/71 and one dated 2/26/73	
25	Smith	
26	Ehrlichman	
27	Haldeman	
28	Haig	

(2) SN 65-75085-X,

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-303
-382

(3) Document 67-205182-647 (10)

(4) SN 65-75085-263
-264

U.S. HOUSE OF REPRESENTATIVES

COMMITTEE ON THE JUDICIARY

WASHINGTON, D.C. 20515

OFFICIAL BUSINESS

Pat W. Rohrer
M. C.

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DATE 10-12-2011 BY 60322 UC/LP/PLJ/JCF

Clarence M. Kelley, Director
Federal Bureau of Investigation
Department of Justice
Washington, D. C. 20530

The Attorney General

1 - Mr. W. R. Wannall
June 4, 1974

Director, FBI

RODINO COMMITTEE REQUEST FOR
NATIONAL SECURITY WIRETAP RECORDS

OSPECOV

Reference is made to the telephone call from Mr. James Wilderotter, Associate Deputy Attorney General, to Inspector T. J. Smith of my staff on June 4, 1974, requesting an interview report form (FD 302) made following an interview of Special Agent in Charge C. D. Brennan in connection with the Watergate inquiry and to my memorandum to you dated June 4, 1974, captioned as above, enclosing other documents requested by Mr. Wilderotter.

In his telephone call, Mr. Wilderotter pointed out that Congressman Rodino had also requested this additional document relating to wiretap coverage instituted at the request of the White House. The requested document is enclosed.

As I have previously stated, I do not feel I have the authority to furnish documents of the type requested directly to Congressman Rodino and I am therefore forwarding this communication to you.

Documents pertaining to Morton H. Halperin are under a protective order issued by the United States District Court in connection with Halperin v. Kissinger. It is my understanding that a request has been made to the Court for a modification of the Court's order prohibiting disclosure of these documents.

Enclosure

- 1 - Deputy Attorney General
- 1 - Associate Deputy Attorney General

JWD:rfk (6)

SEE NOTE PAGE TWO

ROUTE IN ENVELOPE

ALL INFORMATION CONTAINED

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DATE 5/5/82

BY 7858 SP/clf/mde

ENCLOSURE

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Dep. AD Adm.
Dep. AD Inv.
Asst. Dir.:
Admin.
Comp. Syst.
Ext. Affairs
Files & Com.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director Sec'y

JUN 10 1974

3 JUN 5 1974

65-75085-400

TJS

65-75085

Del to Mr. Rodino Wilderotter 6-5-74

Lem

The Attorney General

NOTE:

Mr. Wilderotter advised Inspector Smith that the Rodino Committee had requested copies of 65-75085-180, 230, 264, 309, 313, 329, copies of letters from the Director to the President dated 7/14/69, 11/7/69 and 12/31/69. Also requested was the enclosure only of a letter from the Director to the President dated 8/1/69. In addition, copies of letters dated 5/28/69 and 5/29/69 to Mr. Kissinger were requested. Copies of these items were enclosed by memorandum of 6/4/74. Mr. Wilderotter telephonically requested this additional document.

1 - Mr. W. R. Wannall

The Attorney General

June 4, 1974

Director, FBI

RODINO COMMITTEE REQUEST FOR
NATIONAL SECURITY WIRETAP RECORDS

SPECOV
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 5/5/82 BY 7858 SE/clf/pde

Reference is made to the telephone call from Mr. James Wilderotter, Associate Deputy Attorney General, to Inspector T. J. Smith of my staff on June 4, 1974, and to my memorandum to you dated May 20, 1974, captioned as above.

In his telephone call, Mr. Wilderotter pointed out that Congressman Rodino had requested additional documents relating to wiretap coverage instituted at the request of the White House. The requested documents are enclosed.

As I stated in my May 20, 1974, memorandum, I do not feel I have the authority to furnish documents of the type requested directly to Congressman Rodino and I am therefore forwarding them to you. **65-75085-401**

Documents pertaining to Morton H. Halperin are under a protective order issued by the United States District Court in connection with Halperin v. Kissinger. It is my understanding that a request has been made to the Court for a modification of the Court's order prohibiting disclosure of these documents.

ENCLOSURE
Enclosures 12

1 - Deputy Attorney General
1 - Associate Deputy Attorney General
JWD:rfk (6)

NOTE:

Mr. Wilderotter advised Inspector Smith that the Rodino Committee had requested copies of 65-75085-180, 230, 264, 309, 313, 329, copies of letters from the Director to the President dated 7/14/69, 11/7/69 and 12/31/69. Also requested was the enclosure only of a letter from the Director to the President dated 8/1/69. In addition, copies of letters dated 5/28/69 and 5/29/69 to Mr. Kissinger were requested. Copies of these items are enclosed.

ROUTE IN ENVELOPE

SECRET MATERIAL ATTACHED

TELETYPE UNIT

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65-75085

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DATE 09-21-2011 BY 60322 UC/LP/PLJ/JCF

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ENCLOSURE

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Sperry

Special to The New York Times

The reports containing references to Mr. Muskie were reportedly prepared in late 1970 and early 1971 by Federal agents monitoring a wiretap on the home telephone of Morton H. Halperin, a former National Security Council official who joined the Muskie campaign after leaving the Government in April 1970.

The disclosures came as Mr. Halperin won from a Federal District judge today an order for the Nixon Administration

that it turn over to him the records of the wiretap, which ran from May, 1969, until February, 1971.

The order by Judge John Lewis Smith, affirmed a request by attorneys for Mr. Halperin for summaries prepared by agents of the Federal Bureau of Investigation who monitored the wiretap.

President Nixon has said he personally approved the 17 wiretaps as part of an effort to stop leaks of classified information to the press.

The disclosure that political-ly useful information was being produced by the Halperin wire-tap may help to explain why the former official was kept under surveillance longer than any of the others who were targets of the operation and despite the lack of any evidence

Mr. Halperin, a Republican, served as an unsalaried adviser on foreign affairs to the Senator from Maine after leaving the Government.

According to confidential documents prepared by the Federal Bureau of Investigation, the wiretap program lasted from May, 1969, until February, 1971, and involved at various times 13 officials of the Nixon Administration and four newsmen, including two reporters for The New York Times.

Mr. Halpern is suing several present and former Administration officials, including Secretary of State Kissinger and the former White House chief of staff, H. R. Halde-
man, on the ground that the wiretap on his home phone, which was not authorized by a court order, was illegal and was intended primarily to monitor his political activities. He is the only one of the 17 to have sought the wiretap sum-

Judge Smith gave the Government 10 days to surrender the wiretap material. Justice Department lawyers, who opposed the motion granted by the court, have indicated that they will now argue that some of the requested documents may be subject to a formal claim of executive privilege—a doctrine that protects the confidentiality of communications within the executive branch if disclosure would impair the orderly functioning of government.

To claim this privilege, Attorney General William B. Saxbe would have to act before the 10 days were up.

In general, a judge's order for the discovery of evidence, such as Judge Smith's today, is not appealable.

Mr. Halperin was one of the

DATE 5/5/82 BY 785850kl/puk

The Washington Post _____
Washington Star-News _____
Daily News (New York) _____
The New York Times _____ 11
The Wall Street Journal _____
The National Observer _____
The Los Angeles Times _____

MAR 23 1974

Date _____

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JUN 20 1974 *fair*

first Government officials to be tapped after a report appeared in The New York Times on May 9, 1969, about the then highly secret bombing of Cambodia by American aircraft.

That article and others outlining the United States position at the talks with the Soviet Union on limiting strategic armaments reportedly evoked strong protests from Mr. Kissinger, then Mr. Nixon's national security adviser. As a result of his protest, the President appointed Mr. Kissinger, the late J. Edgar Hoover, director of the F. B. I., and John N. Mitchell, then the Attorney General, to coordinate an investigation of the leaks to the press.

Mr. Nixon also approved the wiretapping of those officials suspected by Mr. Kissinger as the sources of the leaks. The wiretaps were installed without the court order that is required by law in ordinary criminal cases. The installation was made under an "inherent power" claimed by Mr. Nixon to prevent the nation's security from being compromised. Neither Congress nor the Supreme Court has ever recognized an "interest power" to wiretap for this purpose.

Target of Espionage

Justice Department sources have said that information entirely unrelated to national security flowed into the White House from some of the 17 wiretaps. But the information relating to Mr. Muskie was the first indication that some details of his campaign planning were in the hands of high White House operatives long before the Presidential primaries in which the Senator was a target of political espionage and sabotage.

The F. B. I. documents show that the summaries of the wiretapped conversations were initially sent to Mr. Kissinger.

But in June, 1970, about midway through the 21-month top-secret program, the summaries were diverted to Mr. Haldeman. Accordingly, it would have been Mr. Haldeman who received the reports of Mr. Halperin's conversations about Senator Mus-

kie's political plans.

Mr. Haldeman was indicted by a Federal grand jury two weeks ago, along with six other men, for conspiring to obstruct the criminal investigation into the June, 1972, Watergate burglary. That break-in was linked to a wiretapping plot that illegally provided political intelligence from the headquarters of the Democratic National Committee.

Some of the reports on Mr. Halperin received by Mr. Haldeman, sources who have seen them said, contained references to Mr. Muskie's activities in behalf of his bid for the Democratic Presidential nomination at a time when he was widely considered the front-running candidate against Mr. Nixon.

Mr. Halperin said in a telephone interview that he could not remember whether he ever spoke with Senator Muskie himself over his home telephone during the months in question. He said, however, that he did have discussion about campaign strategy with some of the Senator's top aides and advisers over his home telephone before the wiretap was removed in February, 1971.

Foreign Policy Speeches

Neither the sources nor the F. B. I. documents made clear to what use, if any, the White House may have put the information on the Muskie campaign that was supplied by the wiretap. According to Mr. Halperin, the reports of his conversations might have included advance knowledge of the Senator's speeches in the foreign policy area and particularly on the Vietnam war.

Haig Sought Taps,

Ex-FBI Aide Says

By Jeremiah O'Leary

Star News Staff Writer

The original formal request for the controversial wiretaps on 17 government officials and newsmen was made on May 10, 1969, in a personal visit by Alexander Haig to the office of Asst. FBI Director William C. Sullivan, the retired investigative official told The Star-News today.

Sullivan said Haig never mentioned Henry A. Kissinger, who was a national security adviser at the time, or any other official as the initiator of the request for the wiretaps and characterized it as a White House request.

Sullivan's recollection that the taps were initiated by the FBI on the basis of a personal visit from Haig sheds some light on an ambiguous FBI memorandum of May 12, 1969, and a 15-page summary of the inquiry that became public yesterday. The memo to Asst. FBI Director Leonard M. Walter states in part:

THE ORIGINAL requests were from either Dr. Henry Kissinger or Gen. Alexander Haig (then Col. Haig) for wiretap coverage on knowledgeable NSC (National Security Council) personnel and certain newsmen who had particular news interest in the SALT talks. The specific requests on this coverage were made to either former Director J. Edgar Hoover or former Assistant to the Director William C. Sullivan (and on one occasion by Gen. Haig to Special Agent Robert Haynes, FBI White House liaison). Written authorization from the attorney general of the United States was secured on each wiretap.

JUN 13 1974

Meanwhile, the Associated Press today quoted sources familiar with the surveillance program as saying that reports on the wiretaps went directly to Kissinger and President Nixon.

The sources said that FBI digests of the material overheard on the taps were hand-carried to the White House and delivered to Nixon and Kissinger, according to the AP.

Asked if Kissinger had called Hoover, the late FBI Director, as has been alleged, the day before the Haig visit, Sullivan replied, "There were many things Mr. Hoover never told me and he never told me of any such call. When Haig came to see me, he didn't seem to know about any call to the bureau the previous day."

However, a memorandum prepared for Hoover's file and dated the day before Haig's visit to Sullivan (May 9) opens with a specific mention of such a call from Kissinger to Hoover, according to the Washington Post.

Dr. Henry Kissinger, national security adviser to the President, called from Key Biscayne, Fla., the memo is quoted as stating.

In the memo, Kissinger is reported to have warned that a story in the New York Times that day "is extraordinarily damaging and contains secret information."

The story referred to, as previously disclosed, was an article by William Beecher that U.S. B52s for the first time were striking at North Vietnamese and Viet Cong forces inside Cambodia and that Cambodia was not protecting the raids. The May 9 memo quotes Hoover as follows:

SPECOV

Assoc. Dir. ☒
Dep. AD Adm. ☒
Dep. AD Inv. ☒
Asst. Dir.:
Admin. ☐
Comp. Syst. ☐
Ext. Affairs ☒
Files & Com. ☐
Gen. Inv. ☐
Ident. ☐
Inspection ☐
Intell. ☒
Laboratory ☐
Plan. & Eval. ☐
Spec. Inv. ☐
Training ☐
Legal Coun. ☐
Telephone Rm. ☐
Director Sec'y ☐

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 5/5/82 BY 7858-39/dj

The Washington Post _____
Washington Star-News A-8
Daily News (New York) _____
The New York Times _____
The Wall Street Journal _____
The National Observer _____
The Los Angeles Times _____

Date JUN 13 1974

65-75085-A-
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JUN 18 1974

65-75085
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Kissinger said they wondered whether I could make a major effort to find out where that came from. I said I would."

Later that day, according to the Post, Hoover phoned Kissinger again, speculating that the information may have been leaked to Beecher by Morton Halperin, then a member of the National Security Council staff.

On the following day Haig went to see Sullivan.

Sullivan said Haig told him there had been serious breaches of national security and furnished some of the names on which the FBI instituted wiretaps.

The former FBI intelligence specialist said he doubted that Hoover would ever have taken an order or suggestion from Kissinger.

Hoover would have wanted something from the President himself or something in writing," Sullivan said.

Kissinger, who has threatened to resign as secretary of State because of persistent questions about his role in the wiretaps, has maintained that he did not directly request the 17 taps. Kissinger acknowledges he was present at a White House meeting in the spring of 1969 at which President Nixon ordered the wiretaps but has said his contributions was to describe the leaks and furnish the names of those who had access to leaked information.

FBI AGENTS interviewed Sullivan last summer about the inquiry according to the FBI summary, but Sullivan at that time would not identify who at the White House had made the wiretap requests. Haig, himself interviewed by agents in the inquiry, also declined to say who had ordered the wiretaps. He described the decision as being the result of "joint input."

At least some of the 17 taps, it is reported, were initiated within the FBI and the Justice Department. The taps were installed for

periods varying from one month to nearly two years.

Sullivan's recollection does not clear Kissinger, since Haig was Kissinger's deputy in 1969 and could either have been relaying the request to the FBI for Kissinger or doing so with Kissinger's knowledge or approval.

The matter now appears to require further clarification from Haig on precisely what took place at the White House that resulted in his going to the FBI for a face-to-face meeting with Sullivan. Haig is in Egypt with the President's party.

Many of the FBI records of the requests for wiretaps, the attorney general's written authorization for them and summaries of the results are not available and their whereabouts are not precisely known, Sullivan, it has been disclosed, kept all these documents in his own office rather than FBI general files and, when he retired from the FBI, sent them to Robert G. Mardian, then assistant attorney general in charge of internal security.

MARDIAN, in turn, sent the documents to the White House and they were found in the files of Presidential Asst. John D. Ehrlichman when the FBI began its inquiry last summer. These documents were returned to the Justice Department at that time but it has never been disclosed whether any of them are missing.

In turn, the documents were furnished to Special Prosecutor Leon Jaworski and to the House Judiciary Committee in connection with the Watergate-impeachment investigations but were denied to the Senate Foreign Relations Committee.

The Justice Department has said that it is withholding the material because of a civil suit filed by one of the individuals wiretapped, former National Security Council staff member Morton P. Halperin.

(Two other former members of the NSC staff filed suit yesterday against

Nixon, Kissinger and the telephone company, saying their phones were unconstitutionally tapped.

(The U.S. district court suits were filed by Richard M. Moose, the council's staff secretary from Jan. 20 to Sept. 20, 1969, and William A. K. Lake, special assistant to Kissinger and a special projects staff member from June 1, 1969, to June 14, 1970.)

The documents were inspected late last year by Sens. John Sparkman, D-Ala., and Clifford Case, R-N.J., with Kissinger in the presence of Atty. Gen. Elliot Richardson and then Deputy Atty. Gen. William Ruckelshaus. The committee now appears to feel that the clearance from innuendo and allegation sought by Kissinger will rest on the contents of those FBI documents.

Assuming that Justice will send the documents to the committee, it is likely that the committee will hold at least one executive session to examine the relevant FBI files and probably call Kissinger again as a witness when he returns from the Middle East and Canada some time after June 20.



ROUTE IN ENVELOPE

The Attorney General

June 14, 1974

Director, FBI

1 - Mr. O.T. Jacobson
1 - Mr. W.R. Wannall
1 - Mr. A.B. Fulton

*** WIRETAPS OPERATED FOR
WHITE HOUSE BETWEEN
MAY, 1969, AND FEBRUARY, 1971**

0 SPECOV

On June 13, 1974, Mr. James Wilderotter, Associate Deputy Attorney General, telephonically advised Inspector Thomas J. Smith of our Intelligence Division that a decision has been reached to turn over copies of all FBI documents previously furnished to the Rodino Committee concerning captioned wiretaps to the Senate Foreign Relations Committee and to Mr. Carlyle E. Maw, Legal Advisor, U.S. State Department, for review by Mr. Henry Kissinger.

Mr. Wilderotter advised that Mr. Maw is flying to meet Mr. Kissinger, who is currently traveling abroad with the President, and that the documents will be carried to Mr. Kissinger for review. With respect to Inspector Smith's concern over the documents being taken out of the country, Mr. Wilderotter assured that Mr. Maw is traveling by Air Force plane and will have ample protection. He also advised concerning the possibility of the documents being reproduced that Mr. Maw is under court order not to reproduce the documents and that he will return them to the Justice Department after they have been reviewed by Mr. Kissinger.

Pursuant to Mr. Wilderotter's request of Inspector Smith, there are enclosed herewith two copies of each of the documents previously furnished to you as attachments to three memoranda, one dated May 20, 1974, and two dated June 4, 1974, for dissemination to the Rodino Committee.

Copies of the two memoranda dictated by Mr. Hoover on May 9, 1969, and bearing time designations of 10:35 a.m. and 5:05 p.m. are not being included as they were furnished to Mr. Wilderotter by Inspector Smith on May 13, 1974, along with three other memoranda also dictated by Mr. Hoover on May 9, 1969.

ROUTE IN ENVELOPE

RHH:clb
(6)

SEE NOTE PAGE TWO

JUN 20 1974

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Del to Mr
James
Wilderotter
Room 2205
6-11-74
Jm

6- ENCLOSURE

REC-1

65-75085-402

JUN 20 1974

fill
65-75085

WRW/TJS

The Attorney General

Since the leaks to news media of these very sensitive documents have already had a deteriorating effect on the public's faith and trust in the confidentiality of FBI information and records, I sincerely hope that adequate safeguards are being implemented to prevent further such leaks based on this proliferation of dissemination of sensitive material.

Enclosures - 165

1 - The Deputy Attorney General

NOTE:

Enclosures hereto are identified in serials 65-75085-401, 400, and 398, which are letters to the Attorney General dated June 4, 1974, and May 20, 1974, copies of which are attached.

T- Rodino Committee

1 - Mr. W. R. Wannall
1 - Mr. DeLoach

May 20, 1974

The Attorney General

Director, FBI

**RODINO COMMITTEE REQUEST FOR
NATIONAL SECURITY WIRETAP RECORDS**

Enclosed is a copy of a letter dated May 14, 1974, which I have received from Congressman Peter W. Rodino, Jr., wherein he requests on behalf of the Committee on the Judiciary of the House of Representatives specific documents relating to wiretap coverage instituted at the request of the White House, along with a copy of my response to Congressman Rodino.

Since I do not feel that I have the authority to comply with his request, I have enclosed copies of each of the documents which he requested for your review and response to Congressman Rodino.

It is noted that certain documents pertaining to Morton H. Halperin are under a protective order issued by the United States District Court in connection with Halperin v. Kissinger and that Congressman Rodino states that a request has been made to the Court for a modification of the Court's Order prohibiting disclosure of these documents.

Mr. James Wilderotter, Associate Deputy Attorney General, has previously been advised of this request.

Enclosures - 154

- 1 - The Deputy Attorney General
- 1 - The Deputy Associate Attorney General

JWD:rfk
(6)

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~~TOP SECRET MATERIAL ATTACHED~~

ENCLOSURE 65-75085-402

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UNITED STATES GOVERNMENT

Memorandum

TO : MR. CALLAHAN

DATE: 6-11-74

FROM : E. S. MILLER *EM*
h2

SUBJECT: SECRETARY OF STATE
HENRY KISSINGER

OSPECOV
**ALL INFORMATION CONTAINED
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DATE 5/5/82 BY 7558-SPE/CLP**

DL Mr. Wilderotter, Deputy Attorney General's Office, called me this afternoon to advise that State Department Legal Advisor, Carlisle Mau had talked with the Deputy Attorney General about Mr. Kissinger's statement to the press in Austria today and further that Mr. Mau wanted to review the FBI files on the 17 wiretaps. Wilderotter was calling to make these arrangements at the request of the Deputy Attorney General.

I told Mr. Wilderotter that the FBI was not going to accede to this request without giving it substantially more study in view of the fact that this was one of the main areas of concentration of the House Judiciary Committee studying the question of impeachment of the President, that the Senate Foreign Relations Committee ostensibly had fully explored this matter in its confirmation hearings on Mr. Kissinger's appointment as Secretary of State and, in addition, the Special Prosecutor had a special investigation that it was conducting into the whole area of the 17 wiretaps. *Lam*

I told him that it appeared to me to be a very intricate decision that he was discussing in view of the fact that Mr. Mau obviously was requesting a review of the FBI files for the unilateral purpose of developing ammunition for the Secretary of State and that this action would fly in the face of all of the other actions which of course are currently taking place.

I told him that this matter appeared to be one which would have to be given considerable thought not only by the FBI, but also by the Department of Justice, before a final decision could be made as to which forum was going to make a decision as to Mr. Kissinger's culpability, or non-culpability, in the 17 wiretaps issue. *REC*

Wilderotter told me that he understood in addition to his Austrian press conference, Mr. Kissinger had also written a letter to the Senate Foreign Relations Committee, although Wilderotter did not know the contents of the letter.

ESM:pmd
(4)

1 - Mr. Wannall

1 - Mr. Mintz

18 JUN 26 1974

JUN 26 1974 *pm*

5- R#
65-75085
(OVER)

Memorandum to Mr. Callahan from E. S. Miller
Re: Secretary of State, Henry Kissinger

Wilderotter agreed with my observations and said that he would discuss the matter with the Deputy Attorney General, who would thereafter discuss it with Mr. Saxbe.

I did not mention to Wilderotter during the phone conversation, however, there is a further complication in this matter and that is that USDC Judge Smith, who is handling the Halperin civil suite against the Government, has issued a "gag order" on the 17 wiretaps material and that Rodino's committee was currently struggling with this situation itself.

Wilderotter said he would get back to us regarding this issue.

ACTION:

For information.

[Handwritten signature]

[Handwritten initials]

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S P E C O V

UPI 064

(REVIEW)

WASHINGTON (UPI) -- THE SENATE FOREIGN RELATIONS COMMITTEE VOTED UNANIMOUSLY TODAY TO REVIEW SECRETARY OF STATE HENRY KISSINGER'S ROLE IN NATIONAL SECURITY WIRETAPS, SEN. EDMUND MUSKIE, D-MAINE, SAID.

KISSINGER, WHO THREATENED TO RESIGN OVER "LEAKS AND INNUENDOS" REGARDING HIS INVOLVEMENT IN THE TAPS ON TELEPHONES OF SOME AIDES AND OTHERS WHILE HE WAS AT THE WHITE HOUSE, WROTE THE COMMITTEE EXPRESSING WILLINGNESS TO APPEAR FOR MORE QUESTIONS AND MUSKIE SAID THE GROUP VOTED TO LOOK INTO THE MATTER AGAIN.

KISSINGER TESTIFIED ABOUT THE WIRETAPS, AIMED AT PLUGGING NATIONAL SECURITY NEWS LEAKS, DURING HEARINGS LAST SUMMER ON HIS NOMINATION AS SECRETARY OF STATE AFTER HE HAD SERVED AS PRESIDENT NIXON'S NATIONAL SECURITY ADVISER, A POST HE STILL HOLDS.

KISSINGER'S RESIGNATION THREAT WAS GREETED BY DISMAY BY SOME DEMOCRATS AS WELL AS REPUBLICANS AND SENATE DEMOCRATIC LEADER MIKE MANSFIELD SAID WHEN KISSINGER RAISED THE POSSIBILITY WITH HIM LAST WEEKEND, "I SAID THE COUNTRY NEEDED HIM."

SEN. ALAN CRANSTON, D-CALIF., SAID, "I THINK IT'S INCREDIBLY SAD THAT WATERGATE IS NOW THREATENING TO BRING DOWN EVEN HENRY KISSINGER... THE ONE MAN IN THE NIXON ADMINISTRATION WHO HAS ACHIEVED SO MUCH IN TERMS OF PEACE."

UPI 06-11 12:30 PED

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ADD 1 REVIEW, WASHINGTON (UPI-064)

MUSKIE, CHAIRMAN OF THE FOREIGN RELATIONS SURVEILLANCE
 SUBCOMMITTEE WHICH HAS INVESTIGATED THE WIRETAP CONTROVERSY, SAID IT
 IS "VITAL THAT THIS MATTER BE CLEARED UP AS SOON AS POSSIBLE."

MUSKIE SAID ONE OF THE PROBLEMS OF THE COMMITTEE WAS "JUSTICE
 DEPARTMENT REFUSAL TO SUPPLY DOCUMENTS AND INFORMATION" RELATIVE TO
 THE WIRETAPS.

VICE PRESIDENT FORD ISSUED A STATEMENT SAYING, "I FIRMLY BELIEVE
 IN THE INTEGRITY OF HENRY KISSINGER. HIS RESIGNATION AT THIS HOUR
 WOULD BE CATASTROPHIC TO THE CAUSE OF PEACE."

FORD ADDED, "THE TIME HAS COME WHEN THE WRECKING OF REPUTATIONS BY
 INNUENDO AND LEAKS OF UNSUPPORTED CHARGES FROM FACELESS ACCUSERS MUST
 STOP. WHOEVER IS ATTACKING THE HONESTY AND DEDICATION OF THE
 SECRETARY OF STATE IS UNDERCUTTING HIS PEACEMAKING ACHIEVEMENTS ON
 BEHALF OF THE UNITED STATES."

SEN. CHARLES PERCY, R-ILL., SAID "THE EXTRAORDINARY PERFORMANCE OF
 SECRETARY KISSINGER IN MOVING THIS NATION AND THE WORLD TOWARD PEACE
 REQUIRES THAT THESE QUESTIONS BE RESOLVED FAIRLY AND PROMPTLY."

SEN. GEORGE MCGOVERN, D-S.D., ALSO A COMMITTEE MEMBER, SAID,
 "THERE HAVE BEEN SO MANY SCANDALS IN THIS ADMINISTRATION THAT NO ONE
 WELCOMES ANY MORE."

"BUT IT DOES SEEM THAT EVEN MR. KISSINGER NOW HAS SOME SERIOUS
 QUESTIONS TO ANSWER. THE SENATE HAS NO ALTERNATIVE OTHER THAN TO CALL
 KISSINGER BACK FOR AN EXPLANATION FOR WHAT APPEARS TO BE A
 DISCREPANCY IN STATEMENTS AT THE TIME HE WAS CONFIRMED AS SECRETARY
 OF STATE."

SEN. LOWELL WEICKER, R-CONN., ONE OF SEVEN SENATORS WHO VOTED
 AGAINST KISSINGER'S CONFIRMATION, SAID, "THE PRESUMPTION OF INNOCENCE
 APPLIES... TO DR. KISSINGER. IT IS ALSO TRUE THAT WE ARE NOT GOING TO
 SUSPEND THE CONSTITUTION FOR AN AMERICAN REGARDLESS OF THE ENDS
 ESPOUSED."

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UPI071

ADD 2 REVIEW, WASHINGTON

SEN. HUBERT HUMPHREY, D-MINN., A FOREIGN RELATIONS MEMBER, SAID, "WE OBVIOUSLY DO NOT WANT DR. KISSINGER TO RESIGN. I WANT TO SAY TO HIM AS A FRIEND: 'STAY WITH IT -- COOL IT!'"

ASSISTANT SENATE REPUBLICAN LEADER ROBERT GRIFFIN, ALSO A COMMITTEE MEMBER, SAID KISSINGER'S RESIGNATION "WOULD HAVE A VERY UNFAVORABLE EFFECT ON THE NATION AND THE WORLD."

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UPI072

ADD 3 REVIEW, WASHINGTON
CHAIRMAN J. WILLIAM FULBRIGHT, D-ARK., SAID LATER THE COMMITTEE
HAD AGREED TO REVIEW THIS MATTER IN COMPLIANCE WITH DR. KISSINGER'S
REQUEST," AND SAID HE DID NOT FEEL KISSINGER SHOULD RESIGN. "I THINK
IT WOULD HAVE A BAD EFFECT. I WOULD HATE TO SEE HIM RESIGN OVER A
MATTER LIKE THIS."

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UPI024

ADD KISSINGER, SALZBURG

MEMBERS OF THE JUDICIARY COMMITTEE SAID AFTER A CLOSED SESSION LAST THURSDAY THAT STAFF INVESTIGATORS USING FBI SUMMARIES ON THE WIRETAP LOGS, REPORTED THAT KISSINGER AND HIS THEN DEPUTY, ALEXANDER HAIG, HAD INITIATED SOME TAPS IN 1969-1971.

KISSINGER SAID AT A NEWS CONFERENCE THURSDAY HE DID NOT MAKE A "DIRECT RECOMMENDATION" FOR THE TAPS, A QUALIFICATION OF AN EARLIER DENIAL THAT HE HAD MADE NO RECOMMENDATION.

NEWSMEN WERE SUMMONED HASTILY TO TODAY'S NEWS CONFERENCE AT THE KAVALIERHAUS, AN 18TH CENTURY INN JUST OUTSIDE THE KLESHEIM WALLS. THE MEETING CAME LESS THAN 20 HOURS BEFORE HE AND NIXON WERE SCHEDULED TO LEAVE FOR CAIRO, THE FIRST STOP ON AN EIGHT-DAY SWING THROUGH THE MIDDLE EAST.

AFTER DESCRIBING WHAT HE CALLED "A CAMPAIGN OF INNUENDOS WHICH NOW IMPLY THAT NEW EVIDENCE HAS COME TO LIGHT", KISSINGER SAID:

"IN THIS CIRCUMSTANCE IT IS NOT APPROPRIATE FOR ME TO GO WITH THE PRESIDENT TO THE MIDDLE EAST WITHOUT A FULL DISCUSSION OF THE ISSUES".

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UPI 1032

ADD KISSINGER, SALZBURG

LATER IN THE NEWS CONFERENCE, KISSINGER MADE IT CLEAR HE INTENDS AT PRESENT TO PROCEED WITH THE JOURNEY.

THE TAPS WERE DIRECTED AGAINST AT LEAST 17 NATIONAL SECURITY COUNCIL AIDES AFTER A SERIES OF NEWS LEAKS THAT DISCLOSED, AMONG OTHER THINGS, SECRET U.S. BOMBING OF CAMBODIA AND THE U.S. NEGOTIATING POSITION AT THE STRATEGIC ARMS LIMITATION TALKS WITH THE SOVIET UNION.

REPORTERS WERE INFORMED OF THE NEWS CONFERENCE WHEN WHITE HOUSE PRESS SECRETARY RONALD ZIEGLER, COMPLETING A ROUTINE BRIEFING, TOLD THEM TO STAY AROUND BECAUSE "KISSINGER HAS SOMETHING HE WANTS TO GET OFF HIS CHEST."

KISSINGER LOOKED STERN AS HE WALKED INTO THE ROOM AND HIS HOARSE VOICE LACKED THE HUMOR THAT HE HAS OFTEN SHOWED IN SUCH SITUATIONS.

KISSINGER HELD A NEWS CONFERENCE THURSDAY AT THE STATE DEPARTMENT IN WASHINGTON, HIS FIRST MEETING WITH NEWSMEN SINCE HIS RETURN FROM SUCCESSFULLY NEGOTIATING THE ISREALI-SYRIAN CEASE-FIRE, AND APPARENTLY EXPECTED FRIENDLY QUESTIONING ABOUT HIS NEW PEACE MISSION.

INSTEAD, HE ENCOUNTERED STRONG QUESTIONING ABOUT HIS ROLE IN THE WIRETAPPING CASE, WHICH THE JUDICIARY COMMITTEE IS CONSIDERING AS PART OF ITS IMPEACHMENT INQUIRY. KISSINGER BRISTLED AT SOME OF THE QUESTIONS, REMINDING ONE QUESTIONER THAT HE WAS CONDUCTING A NEWS CONFERENCE AND THAT THE OCCASION WAS NOT A CROSS-EXAMINATION.

HE CONCEDED HE PROVIDED A LIST OF PERSONS WHO HAD ACCESS TO CLASSIFIED INFORMATION BUT DENIED HE RECOMMENDED ANY SPECIFIC PERSONS' TELEPHONES BE TAPPED AS PART OF A PLUMBERS' EFFORT TO TRACK DOWN THE SOURCES OF NEWS LEAKS.

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UPI036

ADD KISSINGER, SALZBURG

"THE IMPLICATION THAT MY OFFICE WAS SPENDING TIME READING SALACIOUS REPORTS ABOUT MY SUBORDINATES...IS SYMPTOMATIC OF THE POISONOUS CLIMATE OF OUR TIMES," KISSINGER SAID.

HE MADE IT CLEAR HE HAS BEEN ANGRY SINCE THURSDAY WHEN HE WAS ASKED IF HE HAD RETAINED COUNSEL FOR POSSIBLE "PERJURY".

OF HIS MIDEAST EFFORT, HE TOLD REPORTERS TODAY, "I WOULD LIKE TO THINK THAT WHEN THE RECORD IS WRITTEN THAT PERHAPS SOME LIVES WERE SAVED AND MOTHERS ARE AT REST. I LEAVE THAT TO HISTORY.

"BUT I WILL NOT LEAVE TO HISTORY MY PUBLIC HONOR," HE ADDED.

AS FOR HIS CONCERN FOR NATIONAL SECURITY LEAKS, KISSINGER SAID, "I DO NOT APOLOGIZE FOR IT. IT IS NOT A SHADY AFFAIR...IT FOLLOWS LEGAL PROCEDURES. IT IS PERFECTLY TRUE I WAS PROFOUNDLY DISTURBED BY THE PUBLICATION OF THE PENTAGON PAPERS AND THE LEAKING OF 10,000 CLASSIFIED DOCUMENTS."

HE SAID HE WOULD NOT HAVE BEEN DOING HIS DUTY HAD HE NOT BEEN WORRIED.

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UPI037

ADD KISSINGER, SALZBURG

"I RECOGNIZE THAT NATIONAL SECURITY HAS BEEN ABUSED IN THE LAST FEW YEARS", KISSINGER SAID. "BUT JUST BECAUSE OF THESE ABUSES DOES NOT MEAN THAT THERE SHOULD NOT BE CONCERN..."

HE SAID HE DID NOT KNOW THAT THE CREATION OF THE PLUMBERS WOULD LEAD TO THE WATERGATE-RELATED "BURGLARIES".

"IT SEEMS TO ME THAT OUR NATIONAL DEBATE HAS REACHED THE POINT WHERE DOCUMENTS CAN BE SELECTIVELY LEAKED WITHOUT BENEFIT OF ANY EXPLANATION BY UNNAMED SOUCES WHO CAN ATTACK THE CREDIBILITY AND HONOR OF PUBLIC OFFICIALS," KISSINGER SAID.

IMMEDIATELY AFTER THE NEWS CONFERENCE, KISSINGER DROVE ACROSS THE WEST GERMAN BORDER TO BAD REICHENHALL FOR A MEETING WITH WEST GERMAN FOREIGN MINISTER HANS DIETRICH GENSCHER. DESPITE THE RAIN AND HIS EARLIER ANGER, KISSINGER WAS SMILING WHEN HE ARRIVED.

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UPI040

ADD KISSINGER, SALZBURG

IN A LETTER MADE PUBLIC TODAY BY THE WHITE HOUSE, KISSINGER ASKED THE SENATE FOREIGN RELATIONS COMMITTEE TO REVIEW HIS TESTIMONY ON WIRETAPS AND SAID HE WOULD BE WILLING TO REAPPEAR BEFORE THE COMMITTEE AT ANY TIME. HE SAID, HOWEVER, HE HAD NO REASON TO CHANGE HIS TESTIMONY.

"IF THE COMMITTEE DECIDES ON A REVIEW, I WOULD NOT OBJECT SHOULD IT WISH TO EXAMINE RELEVANT SECURITY FILES AND REPORTS ON WIRETAPS SENT TO MY OFFICE," KISSINGER SAID.

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UPI 1043

ADD KISSINGER, SALZBURG

IN WASHINGTON, SENATE DEMOCRATIC LEADER MIKE MANSFIELD REVEALED KISSINGER HAD TOLD HIM LAST WEEK HE WAS "SERIOUSLY CONSIDERING" RESIGNING BECAUSE OF THE WIRETAPPING DISPUTE.

MANSFIELD TOLD REPORTERS THE TWO MET LAST SATURDAY AND KISSINGER SAID HE MIGHT STEP DOWN. THEY MET AGAIN SUNDAY AND AT THAT MEETING KISSINGER SAID HE WAS GIVING CONSIDERATION TO NOT ACCOMPANYING NIXON ON THE MIDEAST TRIP.

MANSFIELD SAID AT SATURDAY'S BREAKFAST MEETING THAT KISSINGER "WAS SERIOUSLY CONSIDERING AT THAT TIME OF RESIGNING BECAUSE HE COULD NOT CARRY ON HIS FOREIGN POLICY RESPONSIBILITIES...BECAUSE THIS THING WAS HANGING AROUND ALL THE TIME."

AT SUNDAY'S MEETING, MANSFIELD SAID KISSINGER TOLD HIM HE WAS "SERIOUSLY CONSIDERING WITHDRAWING FROM THE MIDDLE EAST TRIP BECAUSE OF THE SAME THING."

MANSFIELD SAID KISSINGER FEARED "HIS EFFECTIVENESS IN CARRYING OUT THE FOREIGN POLICY OF THIS COUNTRY MIGHT BE MITIGATED."

"I URGED HIM NOT TO RESIGN," THE SENATE DEMOCRATIC LEADER SAID. "I SAID THE COUNTRY NEEDED HIM."

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UPI048

ADD KISSINGER, SALZBURG
NIXON IMMEDIATELY BACKED HIS SECRETARY OF STATE IN A BRIEF
STATEMENT SAYING HE UNDERSTOOD KISSINGER'S DESIRE TO CLEAR HIS NAME
AND ADDED, "THE SECRETARY'S HONOR NEEDS NO DEFENSE."
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UPI082

ADD KISSINGER, SALZBURG

AT THE CONFERENCE A REPORTER ASKED, "MR. SECRETARY COULD YOU TELL US WHO HAS PHYSICAL CUSTODY OF SOME OF THE DOCUMENTS THAT ARE BEING LEAKED?"

KISSINGER REPLIED, "I BELIEVE THE HOUSE JUDICIARY COMMITTEE HAS CUSTODY OF SOME OF THE DOCUMENTS THAT ARE BEING LEAKED."

QUESTION: "THE SENATE FOREIGN RELATIONS COMMITTEE?"

ANSWER: "I DON'T BELIEVE THEY HAVE THEM ..."

UPI 06-11 01:52 PED

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W. R. Wannall

FROM : T. J. Smith

SUBJECT: LEAK OF INFORMATION REGARDING
17 WIRETAPS OPERATED FOR WHITE HOUSE
MAY, 1969 - FEBRUARY, 1971

1 - Mr. Callahan
1 - Mr. Miller
1 - Mr. Jacobson

DATE: 6/13/74

1 - Mr. Mintz
1 - Mr. Wannall
1 - Mr. T. Smith

Assoc. Dir. ☒
Dep. AD Adm. ☒
Dep. AD Inv. ☒
Asst. Dir. ☐
Admin. ☐
Comp. Syst. ☐
Ext. Affairs ☐
Files & Com. ☐
Gen. Inv. ☐
Ident. ☐
Inspection ☐
Intell. ☐
Laboratory ☐
Plan. & Eval. ☐
Spec. Inv. ☐
Training ☐
Legal Coun. ☐
Telephone Rm. ☐
Director Sec'y ☐

SYNOPSIS:

NEWS paper NY
The New York Times and The Washington Post on
6/12/74, published copies and excerpts from FBI documents given to the Rodino Committee by the Department. Documents relate to the 17 wiretaps installed for the White House 5/69 - 2/71. Deputy Attorney General (DAG) Laurence Silberman called a meeting to discuss the matter and to resolve the question of whether Henry Kissinger should be allowed to review FBI documents concerning the wiretaps. At the meeting, Silberman acknowledged that the leak of FBI documents came from the Rodino Committee, although he questioned that The New York Times leak came from the Rodino Committee. There was considerable discussion concerning whether the wiretaps were initiated by Kissinger or J. Edgar Hoover. There was also considerable discussion concerning unilaterally allowing Kissinger access to FBI documents without clearance from the Special Prosecutor, U.S. District Court, Foreign Relations Committee, and Rodino Committee. Silberman eventually conceded clearance should be sought. On 6/13/74, James Wilderotter advised that copies of all documents which had been given to the Rodino Committee are to be given to the Foreign Relations Committee and to Carlyle Maw at State Department for review by Kissinger. He requested copies of the documents for that purpose. Henry

ACTION:

Documents requested by Wilderotter are being copied and will be sent under a cover letter to the Attorney General.

18 JUN 26 1974

TJS:clb
(7)

ROUTE IN ENVELOPE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

JUN 26 1974
DATE 5/5/82 BY 7858-se/clc/mde

65-75085-404
18 JUN 26 1974
WRW/ISS
S-TB
65-75085

Memorandum to Mr. W. R. Wannall
RE: LEAK OF INFORMATION REGARDING
17 WIRETAPS OPERATED FOR WHITE HOUSE
MAY, 1969 - FEBRUARY, 1971

DETAILS:

Following published leaks of documents in The New York Times and The Washington Post 6/12/74, concerning the 17 wiretaps installed for the White House between 5/69 and 2/71, a meeting was called by Deputy Attorney General (DAG) Laurence Silberman 6/12/74. Present in addition to Silberman were the Director, Mr. Callahan, Mr. E. S. Miller, and myself from the Bureau and Mr. Jim Wilderotter, Associate Deputy AG, and [redacted] of Silberman's office (White House Fellow).

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DC At the outset, Silberman acknowledged that the leak of information had come from the House Judiciary Committee. He said that John Doar had confidentially advised him that this was the fact, although the identity of the person leaking the documents is not known. Silberman questioned that the document printed in The New York Times (Jacobson to Walters memo dated 5/12/73) came from the House Judiciary Committee.

DC NY He said that the article was by John Crewdson, whose beat is the Justice Department not the Congressional Hill area. He also questioned why the published document did not have certain pencilled notations contained on the Xerox copy in possession of the Department. He wanted to know how many copies of the document are floating around.

I explained to him that the published document is a copy of the original since it has the initials of Mr. Jacobson and Mr. Walters (signed by Jacobson) on it. I explained that I have personally accounted for all tickler copies made; that Xerox copies of the original were disseminated to the Special Prosecutor's Office, U.S. District Court (Halperin suit); the Civil Litigation Unit of the Department (Halperin suit), and to the Attorney General for the Rodino Committee. I said that I know of no other copies.

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Silberman persisted on the point that the published copy has no pencilled notations. I explained that the newspaper probably blocked all such notations out before photographing the memo. Silberman argued, however, that the document published in The Washington Post had not been excised of markings, and that as a matter of fact the reproduced paper clip would positively establish that the document came from the Rodino Committee; that no effort had been made to block out any identifying features. I replied that there are two different newspapers involved and that they likely operate in a different manner. I pointed out that not only the pencil notations were missing but also the routing block, which is positive proof that The New York Times had done some excision by blocking out.

Silberman asked the Director if anyone from the FBI had ever leaked a memorandum to the news media for whatever purpose. The Director replied that this had happened. Silberman did not pursue the matter further. The Director correctly assured Silberman that we are confident that the 5/12/73, memorandum published in 'The New York Times' was not leaked by anyone in the FBI. In this connection, Silberman, in my personal opinion, exhibited some degree of scepticism concerning our reasoning as to the excised condition of the 5/12/73, memo, and I feel he was implying that the leak of this document was perhaps from the FBI.

Silberman then said that the primary purpose of the meeting was to resolve the question of whether Carlyle Maw, Legal Counsel, State Department, and the Foreign Relations Committee should be granted access to FBI documents relating to the 17 wiretaps. He pointed out that Mr. Miller had strongly opposed either Maw or the Foreign Relations Committee having access to the documents, but that he (Silberman) thinks that Kissinger should have an opportunity to review material relating to current allegations concerning his participation in the 17 wiretaps affair.

Mr. Miller explained that our opposition is based on the position that no unilateral decision should be made by the FBI or the Department of Justice concerning the documents. He pointed out that

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everytime we permit access, the information in the documents is leaked to the media, and that these leaks are beginning to affect the manner in which we can function. Mr. Callahan added that when the public sees that highly sensitive data in FBI files is being published in the newspaper there is an automatic reluctance to trust the FBI. He noted that these leaks have and will continue to have a deteriorating effect on the way every field office is able to get its job done, since the FBI is heavily dependent on full trust and support of the FBI by the public. Lack of trust in our ability to maintain the confidentiality of our records will lead to public refusal to cooperate with us.

Silberman persisted in the belief that Kissinger has the right to see what is in FBI records, and he implied that Kissinger's stand that he had not initiated the 17 wiretaps is probably correct. He said that Elliott Richardson and William D. Ruckelshaus had testified before the Senate Foreign Relations Committee and that Richardson had told him (Silberman) that he had shown the Foreign Relations Committee not only the 29-page summary of the 17 wiretap project, but also copies of the AG's authorizations of them. I disputed the possibility that Richardson had copies of the authorizations; however, he exhibited a memorandum from the Bureau to J. T. Smith dated 6/73, enclosing copies of the authorizations in question.

I pointed out that at least two of the authorizations state that Kissinger requested the wiretaps. Silberman responded that this may be true, but that these were memoranda of the FBI and references to Kissinger would be hearsay. I said that the memoranda were J. Edgar Hoover memoranda, and that they are evidence that Kissinger did request the wiretaps. I also pointed out that other FBI memoranda clearly indicate that Kissinger was initially involved in the matter and in fact had initiated the request for them. [REDACTED]

[REDACTED]

OTHER

Memorandum to Mr. W. R. Wannall
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MAY, 1969 - FEBRUARY, 1971

Mr. Miller elaborated on the points we had disputed, and he stated that in a discussion he had with Ruckelshaus in 9/73, he had told Ruckelshaus that we will not permit erroneous statements to be recorded on Kissinger's behalf at the expense of J. Edgar Hoover.

The Director pointed out that J. Edgar Hoover was morally opposed to use of wiretaps and that he believes Mr. Hoover would not have suggested or initiated a use of wiretaps.

Silberman's opinion was that Kissinger was naive and inexperienced in such matters and would not likely have known enough about investigatory procedures in leak cases to suggest use of a wiretap. He asked if the FBI had ever used a wiretap on a public official or newsman in the past, and I said that we had several years ago, prior to the Nixon Administration. Silberman grasped this to support his theory that Hoover would have responded to Kissinger's question of, "What can we do?" by drawing from past experience in solving leak cases and suggest that wiretaps might be useful. I replied that the wiretaps had not solved the previous cases, and that as the Director had observed, Hoover was morally opposed to wiretaps and would not likely have suggested their use. I acknowledged that W. C. Sullivan would probably have suggested using wiretaps, and that it was Sullivan who dealt with General Alexander Haig at the White House. Silberman said it is likely that we'll never know who actually suggested initially the use of wiretaps.

Silberman said that the question had still not been resolved concerning access by Kissinger to the FBI files on the wiretaps and that he doesn't see why access should be denied, particularly when the documents are being printed in the newspapers. Mr. Miller replied that we do not want to deprive Kissinger of information that would clarify his position, but that we feel no unilateral action should be taken in this regard. He pointed out that the Special Prosecutor's Office has a pending investigation on the 17 wiretaps; that the 17 wiretaps are high on the list of matters to be adjudicated by the Rodino Committee; that the U.S. District Court has a protective order on the records; and that the Foreign Relations Committee has a proprietary interest.

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Mr. Miller suggested that no consideration be given to permitting access by Kissinger without advance written concurrence of the above-named agencies. He pointed out that is vital to establish a positive record that all proper steps were taken by the Department to safeguard the integrity of all interests involved in the matter.

Silberman said that insofar as the Special Prosecutor is concerned, Mr. Jaworski has returned all documents obtained from the FBI regarding the 17 wiretaps. He said this was pursuant to an agreement that if the Special Prosecutor's Office intends to handle a matter, the Special Prosecutor's Office will deal with the Rodino Committee. If not, Jaworski will return the documents he has, and the Department will deal with the Rodino Committee. He said he assumes Jaworski has returned all of the 17 wiretap documents and, therefore, has no further interest.

Mr. Miller voiced doubt that the Special Prosecutor's Office has abandoned the entire 17 wiretap matter. I told Silberman that I had been told they have a probable violation relating to at least one of the 17 wiretaps. I pointed out that the Special Prosecutor's Office may well be looking into possible perjury by Kissinger during his confirmation testimony. Silberman expressed doubt that Kissinger could have perjured himself, since he had not denied participation, but rather that he initiated the taps.

I responded that the Special Prosecutor's Office inquiry of perjury by L. Patrick Gray, III, concerns perhaps no more than a dozen words and that precise word construction could well be a factor in pursuing a perjury investigation by the Special Prosecutor's Office. Silberman expressed the belief that such perjury charges are extremely weak and in other times would never have been considered for prosecution, let alone get a conviction. Silberman agreed, however, that Jaworski should be consulted.

Silberman said that obviously consent should be gotten from the U.S. District Court to insure that the protective order is not violated. He questioned the necessity of getting concurrence of

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the Foreign Relations Committee and the Rodino Committee; however, Mr. Miller pointed out that Kissinger will be reappearing before the Foreign Relations Committee, and specifically will be questioned concerning answers given during prior appearances concerning the 17 wiretaps. He said that the Committee could have grounds to criticize the Department if Kissinger is given free access to FBI documents without their knowledge, particularly when the same material has been withheld from that Committee.

Silberman accepted the wisdom of that observation and said that the Foreign Relations Committee should also be given access but that they should concur with the decision to allow Kissinger access. He said he still doesn't feel that the Rodino Committee has any jurisdiction in the matter of access and, therefore, he sees no need to discuss the matter with the Rodino Committee.

Mr. Miller said that in view of the fact that the 17 wiretaps are among the most significant items being considered in the impeachment proceedings, the wisest course of action is to also get concurrence of the Rodino Committee. Silberman conceded that perhaps it would be best to discuss the matter with the Rodino Committee. Mr. Miller suggested that approval should be obtained from each agency in writing so that the record speaks for itself in the future, that oral arrangements are never satisfactory in resolving future questions involving propriety of actions. He said that oral arrangements confirmed by the Department in writing would suffice, but there should be a clear record in writing of the transaction. Silberman agreed that this would be the best course of action.

On 6/13/74, Mr. James Wilderotter called me and said that clearance had been obtained to give copies of all of the documents given to the Rodino Committee to both the Foreign Relations Committee and to Carlyle Maw at State Department for review by Kissinger. He said that Maw is leaving for the Middle East this weekend and will be taking the documents to Kissinger there so he can

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MAY, 1969 - FEBRUARY, 1971

review them. I said that surely we were not going to allow Maw to take the documents out of the country, and Wilderotter replied that it is necessary since Kissinger is out of the country. He said that besides, Maw is traveling in an Air Force plane and will have ample protection. I asked what is to prevent Maw making more copies which will be leaked, and Wilderotter replied that Maw is under court order not to reproduce the documents.

Wilderotter asked that we give the Department two copies each of the same documents requested by the Rodino Committee, and these will be handled by the Department.

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UNITED STATES GOVERNMENT

Memorandum

1 - Mr. Mintz
1 - Mr. Wannall

TO : Mr. W. R. Wannall *W*

DATE: 6/14/74

FROM : Mr. T.J. Smith *TJS*

1 - Mr. T. J. Smith

~~X ONE SEVEN~~

SUBJECT: 17 WIRETAPS OPERATED FOR THE
WHITE HOUSE BY THE FBI
BETWEEN MAY, 1969, AND FEBRUARY, 1971

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir. _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

Re Smith to Wannall memorandum ^{ser 404} 6/13/74 captioned
"Leak of Information Regarding 17 Wiretaps Operated for White House
May 1969 - February, 1971." Rememo set forth proposal by Deputy
Attorney General Laurence Silberman that FBI documents relating to
17 wiretaps be made available to Dr. Henry Kissinger and to the Senate
Foreign Relations Committee for review because of the recent public furor
resulting from allegations that Kissinger had not been candid with
Foreign Relations Committee during time of his confirmation hearings
in September, 1973.

At a meeting on 6/12/74 we opposed permitting Kissinger
to have access to the documents without the Department first clearing
with the Special Prosecutor's Office, the U.S. District Court, the
Foreign Relations Committee, and the Rodino Committee. During the
course of the meeting on 6/12/74, I exhibited five memoranda written by
J. Edgar Hoover on 5/9/69 concerning telephonic discussions Mr. Hoover
had with Dr. Kissinger on that date relating to leaks of national security
information. These memoranda were prepared at 10:35 a.m., 11:05 a.m.,
11:35 a.m., 1:05 p.m., and 5:05 p.m. (copies attached hereto for
information). Two of these memoranda, the one at 10:35 a.m. and the one
at 5:05 p.m., were in possession of Department of Justice in connection
with the Rodino Committee request.

About 7:15 p.m., 6/13/74, Mr. James Wilderotter,
Associate Deputy Attorney General, telephonically requested copies of
all five documents since it was proposed that these documents be turned
over to Dr. Kissinger and the Foreign Relations Committee for review
along with all of the other documents which had previously been requested by
the Rodino Committee (a previous request had been received from Wilderotter
on 6/13/74 for two copies each of all Rodino documents for delivery to
Kissinger and the Foreign Relations Committee). 65-75085-405

Encs. *5*

TJS:mah (4)

18 JUN 26 1974

CONTINUED - OVER

Class. & Ext. By *1-1*
Reason: FCIM II, 1-2
Date of Review *5/6/82*

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE *5/6/82* BY *7858-se/cle/mah*

JUN 26 1974 *am*

5-TJS
65-75085

Memorandum for Mr. Wannall
RE: 17 WIRETAPS OPERATED FOR THE
WHITE HOUSE BY THE FBI
BETWEEN MAY, 1969, AND FEBRUARY, 1971

On instructions of Mr. Miller and Mr. Callahan,
you caused two copies each of the above described 5/9/69 memoranda
to be delivered to Mr. Wilderotter on 6/13/74.

ACTION:

For record purposes.

EM
[Signature] *wfw*

- 1 - Mr. N. P. Callahan
- 1 - Mr. J. A. Mintz
- 1 - Mr. O. T. Jacobson
- 1 - Mr. W. R. Wannall

The Attorney General

June 20, 1974

Director, FBI

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17 WIRETAPS OPERATED FOR
THE WHITE HOUSE BY THE FBI
BETWEEN MAY, 1969, AND FEBRUARY, 1971

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 5/6/82 BY 7858-SF/def/mde
SP6-BJA/mde 12/6/84 #307,920

On June 14, 1974, the Deputy Attorney General advised Associate Director Nicholas P. Callahan that he had received information from Morton Halperin's attorney that he, the attorney, had noticed, in reviewing documents pertaining to the electronic surveillance on Halperin, that FBI logs indicated Halperin's telephone had been overheard on May 9, 10, and 11, 1969, whereas the Attorney General's approval for the electronic surveillance was dated May 12, 1969. The Deputy Attorney General requested clarification on this matter.

Interviews of present and past FBI employees who may be knowledgeable concerning this matter have been conducted. Attached are interview forms on the following individuals: Mr. John P. Mohr, former Assistant to the Director; Miss Helen Gandy, former Executive Assistant to the Director; Mr. William C. Sullivan, former Assistant Director and Assistant to the Director; Mr. Cartha D. DeLoach, former Assistant to the Director; Supervisor [redacted] Washington Field Office, FBI; Supervisor [redacted] Washington Field Office, FBI; Mr. Ernest H. Belter, retired FBI Agent; Mrs. [redacted] Administrative Assistant to the Director; Miss [redacted] Administrative Assistant to the Director; and Miss [redacted] Administrative Assistant in the Office of the Director.

Our files contain a memorandum for the Attorney General dated May 12, 1969, captioned "Colonel Alexander M. Haig Technical Surveillance Request." This memorandum stated

ALL INFORMATION CONTAINED IN
THIS DOCUMENT IS UNCLASSIFIED
DATE 02-70-302'S

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Admin. _____
- Comp. Syst. _____
- Ext. Affairs _____
- Files & Com. _____
- Gen. Inv. _____
- Ident. _____
- Inspection _____
- Intell. _____
- Laboratory _____
- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Legal Coun. _____
- Telephone Rm. _____
- Director Sec'y _____

JJD/TJS:clb :rfk

182 ENCLOSURE

Delivered to
Jim Wilcox's
Office 4:50 PM
6/20/74
TSS

EM

REC-111 65-75085-406
7-10
18 JUN 21 1974

Orig. OK'd by [redacted]
6/20/74
65-75085

MAIL ROOM ☐ TELETYPE UNIT ☐
JUL 11 1974

The Attorney General

Haig came to the FBI on May 10, 1969, (Other information in our files indicates Haig talked to Mr. William C. Sullivan regarding the matter.) and stated a request was being made "on the highest authority" which involved a matter of most grave and serious consequence to our national security. The memorandum indicated Haig requested telephone surveillance be placed on Daniel Ira Davidson, Morton H. Halperin, Colonel Robert Pursley, and Helmut Sonnenfeldt. Approval for these electronic surveillances was obtained from Attorney General John Mitchell on May 12, 1969, and his signature and the date appear on page two of the memorandum.

We have no correspondence in our files showing any instructions to our Washington Field Office to place an electronic surveillance on Halperin on May 9, 1969, May 12, 1969, or any other date. As indicated in the attached interview of Mr. William C. Sullivan on June 15, 1974, he advised he had not instructed the Washington Field Office to institute an electronic surveillance on Halperin on May 9, 1969, either on his own authority or anyone else's. He was shown FBI logs showing an electronic surveillance on Halperin for the dates of May 9, 10, and 11, 1969. He stated he could furnish no information which would shed any light on how the coverage on Halperin could have been in effect for the above dates when the Attorney General's authority was not obtained until May 12, 1969. He stated his normal procedure was to telephonically contact Supervisor [redacted] of our Washington Field Office and to instruct him to initiate coverage. He stated he assumed this procedure was followed when he was advised the Attorney General had approved the coverage on May 12, 1969. He indicated that, although he probably had seen the logs on Halperin dated May 9, 10, and 11, 1969, he could not state on what date or dates he may have seen them. He acknowledged his handwriting appears on the May 10, 1969, log. He advised that in reviewing mail, he frequently read the contents thereof without paying particular attention to the dates.

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As indicated in the attached interview of Supervisor [redacted] of our Washington Field Office, he advised that, to the best of his recollection, he received a telephone call from William C. Sullivan who related he was calling [redacted] because the Bureau wanted some special coverage conducted on

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The Attorney General

the "highest authority." He stated Mr. Sullivan furnished him the names of several individuals on whom this coverage should be instituted, but [] cannot recall the identities of these individuals. [] is unable to recall the date or day of the week on which the call was received, but believes it was received sometime during the afternoon. He stated he presently has no written record regarding the above conversation with Mr. Sullivan. He advised that Mr. Sullivan's instructions were relayed to Supervisor Ernest H. Belter of the Washington Field Office.

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As indicated in the attached interview of Ernest H. Belter, now retired, Belter advised that, while he has no clear recollection as to the specific time or date, sometime probably in the Spring of 1969 he was instructed by Supervisor [] to effect electronic surveillances on Morton Halperin, a man named Sonnenfeldt, and a man named Davidson. He believes there was a fourth person named, but does not at this time recall the identity of the individual. He stated that, while he is unable to specifically recall the date or time he received his instructions from Supervisor [], he believes this initial request could well have been on a Friday, but reiterated he has no record to substantiate his belief. He does know that, after receiving the instruction from Supervisor [], he initiated the necessary action to effect a contact with the phone company. It is Mr. Belter's recollection that on the same afternoon positive information was received on the Halperin line.

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Our records indicate that Mr. Hoover had dinner with President Richard Nixon and Attorney General John Mitchell on April 25, 1969, at Camp David, Maryland. Our records further indicate that Dr. Henry Kissinger met with Mr. Hoover at FBI Headquarters on the afternoon of May 5, 1969. As indicated in the attached interview of Mr. William C. Sullivan on June 18, 1974, he recalls being shown a memorandum by Mr. Hoover pertaining to a Camp David meeting, date unrecalled by Mr. Sullivan. According to Mr. Sullivan, the memorandum indicated that at the Camp David meeting President Nixon was disturbed about White House leaks of information and indicated something had to be done about it. According to Sullivan, the memorandum indicated Mr. Hoover told President Nixon he would do something

The Attorney General

about the White House leaks, but Mr. Sullivan indicated there was no reference in the memorandum to possible utilization of electronic surveillances. Mr. Sullivan stated that in this meeting with Mr. Hoover, Mr. Hoover did not ask him to do anything regarding the White House leaks.

Mr. Sullivan recalled seeing a memorandum regarding a meeting between Dr. Kissinger and Mr. Hoover in early May, 1969, but he could not recall whether the memorandum he saw had to do with the May 5, 1969, meeting. He recalled that the memorandum indicated Dr. Kissinger made a request of Mr. Hoover that certain wiretaps be put on to counteract White House leaks of information. Mr. Sullivan did not recall the names of any individuals mentioned. It is Mr. Sullivan's recollection that the memorandum showed that Mr. Hoover had told Dr. Kissinger that the FBI could initiate the wiretaps requested and that it would be done. Mr. Sullivan stated he has no recollection of having received any request from Mr. Hoover for any necessary action based on information set forth in the memorandum.

As indicated in the attached interviews of Mr. John P. Mohr, Miss Helen Gandy, Mrs. [redacted], Miss [redacted], and Miss [redacted], these individuals were unable to furnish any information regarding the memoranda referred to by Mr. Sullivan regarding the Camp David meeting and Dr. Kissinger's meeting with Mr. Hoover on May 5, 1969. Mrs. [redacted], Miss [redacted], and Miss [redacted] were the employees who handled all of Mr. Hoover's dictation. b6 b7C

CURRENT FBI ANALYSIS

Essentially, it appears that two basic questions should be answered concerning the 17 wiretaps placed between May, 1969, and February, 1971, in connection with leaks of highly sensitive national security information from the White House. The best way to resolve the questions would be to produce unassailable documentary evidence. However, an exhaustive search of FBI records has been made, and the documents needed to provide the solution cannot be located.

The Attorney General

Therefore, since the best evidence, i.e., complete documentation, cannot be located, we feel that a professional analysis of the available facts is the next best way of helping to resolve the issues. Our analysis does not cover the basic issue of whether the wiretaps were properly and legally placed, based on the constitutional powers of the President and the state of the law at the time. Our previous legal analysis has fully convinced us that the wiretaps were legal.

Our professional analysis then is concerned with (1) the issue of who actually initiated the wiretaps; that is, who actually suggested, requested, or ordered the installation and use of the wiretaps; and (2) the issue of why the Morton Halperin wiretap was evidently installed on May 9, 1969, whereas the Attorney General authorization was not effective prior to May 12, 1969.

First, and foremost, all available FBI records available for analysis and review are the records recovered from the White House May 12, 1973, after they had been turned over to former Assistant Attorney General Robert C. Mardian by former Assistant to the Director William C. Sullivan in the Summer of 1971. The FBI has no record of what records were turned over to Mr. Mardian by Mr. Sullivan; therefore, we have no way of knowing whether we did, in fact, retrieve all of the records originally turned over to Mr. Mardian. This is mentioned, not in any sense as an accusation that some of these records may have been removed prior to their return to FBI control, but only as one of the many unknown factors in trying to arrive at a logical conclusion as to the facts.

All of those records retrieved from the White House have been carefully reviewed, and it is not possible to establish with any degree of certainty the role Dr. Kissinger played in the initiation of the wiretaps. The initial document recording the request by the White House for the wiretaps states that the request was made personally by then Colonel Alexander M. Haig of Dr. Kissinger's Office, and Colonel Haig stated this request was being made on "the highest authority." This immediately

The Attorney General

suggests that the President, not Dr. Kissinger, was the initiator of the request.

One memorandum, a personal memorandum from Mr. Sullivan to Mr. Hoover, dated May 20, 1969, records that Dr. Kissinger reviewed logs of the first four wiretaps in Sullivan's office and told Sullivan that he (Kissinger) wanted the coverage to continue for a while longer on the first four names, to which would be added new ones. This memorandum also recorded that Dr. Kissinger stated "It is clear that I don't have anybody in my office that I can trust except Colonel Haig."

We understand that Dr. Kissinger has indicated he attended a meeting between the President, Attorney General, and J. Edgar Hoover on May 9, 1969, or previous to that time, concerning the very serious matter of leaks of national security information from the White House. Supposedly, the matter of wiretaps was discussed at that meeting, perhaps with Mr. Hoover suggesting this technique as one means of discovering the source of the leaks. We know that no such meeting occurred on May 9, 1969, since the President and Dr. Kissinger were in Key Biscayne, Florida, on that date while Mr. Hoover was in Washington.

A review of Mr. Hoover's appointment book and logs of his telephone calls and personal meetings in his office (copies attached hereto) reveals that Mr. Hoover had dinner with the President and the Attorney General at Camp David on April 25, 1969. There is no information available to indicate Dr. Kissinger was present, although he may well have been.

Mr. Hoover's daily log reveals the President telephoned him at his home at 6:55 p.m., May 2, 1969. Subsequently, at 12:05 p.m., May 5, 1969, Colonel Haig of Dr. Kissinger's Office called and left a message, since the Director was out at the time. At 1:12 p.m. Colonel Haig called the Director's telephone room and confirmed an appointment for Dr. Kissinger. At 3:55 p.m. and 4:10 p.m., Dr. Kissinger's Office called to advise that

The Attorney General

Dr. Kissinger would be a little late. At 4:27 p.m. Dr. Kissinger met with Mr. Hoover, and at 4:43 p.m. Mr. Hoover attempted to reach Assistant Director William C. Sullivan.

The events surrounding the meeting at Camp David on April 25, 1969, and Dr. Kissinger's visit to Mr. Hoover's office on May 5, 1969, following a telephone call from the President on May 2, 1969, tend to support the theory that Mr. Hoover had possibly discussed the very serious matter of White House leaks with the President, the Attorney General, and Dr. Kissinger. Such being the case, the matter of wiretaps being a valuable tool in the investigative effort to pinpoint the source of the leaks logically would have come up. We know that the then Attorney General John N. Mitchell had been somewhat critical of the restrictive attitude of former Attorney General Ramsey Clark concerning the use of wiretaps. We feel, therefore, that Mr. Mitchell would have certainly been amenable to the suggestion for use of wiretaps.

Mr. Hoover's attitude respecting the use of wiretaps has traditionally been a negative one. FBI records are replete with evidence of his repugnance for use of wiretaps, and it is, therefore, highly unlikely that he would have initiated a suggestion for their use in this case. We think, however, if the President and the Attorney General had voiced an opinion that wiretaps were in order, Mr. Hoover would not have opposed them in any way. In absence of any documentary evidence, however, the FBI cannot supply facts concerning the conversations that might have taken place where Mr. Hoover took part concerning the suggestion, proposal, or recommendation that wiretaps be used.

With respect to specific documentation regarding Mr. Hoover's meeting with the President and Mr. Mitchell at Camp David on April 25, 1969, and his subsequent meeting with Dr. Kissinger on May 5, 1969, an effort was made to determine if Mr. Hoover had made any record of these meetings. Mr. Hoover's personal Executive Assistant of many years, Miss Helen W. Gandy, felt in her own mind that Mr. Hoover would have dictated a record of those two meetings since he always carefully recorded important meetings and discussions. She does not now recall that he did prepare such records. Upon interview, as related above, secretarial personnel could not recall preparing memoranda relating to these two meetings.

The Attorney General

Since Mr. W. C. Sullivan played a key role in this matter, he has been interviewed at length concerning his recollection of the sequence of events and the facts surrounding the use of wiretaps in this case. Results of his interviews are attached.

Mr. Sullivan advised that he did not instruct the Washington Field Office to initiate electronic surveillance coverage on Halperin on May 9, 1969, either on his own authority or anyone else's. He stated his normal procedure was to telephonically contact a specific supervisor in the Washington Field Office and instruct him to initiate coverage after specific authorization had been obtained.

However, logs of the wiretap on Morton H. Halperin reveal the first call monitored was at 6:20 p.m., May 9, 1969. This fact then raises the second important question; i.e., "when was the wiretap (at least on Halperin) actually requested, and who authorized it?"

Washington Field Office personnel were interviewed at length, and pertinent Agents were unable to recall sufficient facts to resolve the question. The coordinating supervisor, who does recall having been instructed by W. C. Sullivan to have the first wiretaps installed, cannot now recall the date or the identities of those wiretapped. He thought Mr. Sullivan furnished him the names of several individuals on whom coverage was to be instituted but could not recall identities of those individuals. As a matter of record, however, the other three wiretaps (besides Halperin) were not monitored prior to May 13, 1969, even if they were installed prior thereto.

The Special Agent who handled the technical work could recall only that the request came possibly on a Friday and that he worked late that evening to insure that the correct line was being monitored so that he would not have to come in the next day. He does not recall the day of the month, but May 9, 1969, was on Friday.

While it is recorded that the first wiretap, the Halperin wiretap, was initiated on May 9, 1969, the question as to who ordered (or requested) it is still unresolved. We do know, however, that on May 9, 1969, a series of telephonic

The Attorney General

discussions took place between Mr. Hoover and Dr. Kissinger concerning the seriousness of the leaks, and specifically about a leak appearing in a New York Times article by William Beecher on May 9, 1969. Dr. Kissinger declared that this particular leak was extraordinarily damaging and used secret information. Dr. Kissinger asked that the FBI use whatever resources were needed to find out who was responsible.

Mr. Hoover posed the problem to his executive staff and through appropriate contacts information was developed concerning three possible suspects in connection with the leaks. These suspects were (Morton) Halperin, (Lawrence?) Eagleburger, and [redacted]. All three were connected with the National Security Council, and all three were acquainted with William Beecher, author of The New York Times article referred to by Dr. Kissinger. b6 b7C

Halperin and [redacted] had reportedly gone to school, possibly at the same time as Beecher, at Harvard University.

[redacted] school who was then (in May, 1969) a staff member of the National Security Council. This information was telephoned to Dr. Kissinger by Mr. Hoover at about 5:05 p.m., May 9, 1969. Insofar as Mr. Hoover and the FBI were concerned at that point, Halperin, Eagleburger, and [redacted] were all good possibilities as suspects in the leaks. However, and this is a most significant point, only Halperin was targeted for a wiretap. We cannot conceive of Mr. Hoover or anyone else in the FBI making a unilateral decision to wiretap Halperin to the exclusion of the other two logical suspects. b6 b7C

This leads to a somewhat logical conclusion that during the discussion between Mr. Hoover and Dr. Kissinger beginning at 5:05 p.m., Dr. Kissinger made the decision to wiretap Halperin but not the other two. If such were the case, Mr. Hoover would have immediately instructed (probably W. C. Sullivan) to institute the wiretap on Halperin, and this would account for the Washington Field Office Agent's recollection of staying late to have the wiretap installed and working so he would not have to come in on Saturday, possibly May 10, 1969.

The Attorney General

The Director's daily log does not show that Mr. Hoover made a call to Sullivan following the 5:05 p.m. call to Dr. Kissinger. However, if Mr. Hoover used his direct line to Sullivan, such call would probably not have been logged.

The records retrieved from the White House reveal that on May 10, 1969, Mr. Sullivan tried to contact Mr. Hoover at his home and, being unsuccessful, left a message with Miss Gandy for Mr. Hoover. Sullivan related that Colonel Haig had visited him on the morning of May 10, 1969, and made certain requests concerning a colonel at the Pentagon. Sullivan said that he did not want to move on this until he had gotten Mr. Hoover's approval, and "they" did not want anything in writing.

This record supports the theory that as of May 10, 1969, not all of the original four wiretap requests had been previously requested since it would appear that the colonel in the Pentagon referred to above was probably Colonel Robert Pursley, one of the four initially wiretapped in this case.

We can offer no explanation as to the reason why the memorandum to the Attorney General dated May 12, 1969, in which the first four wiretaps were requested and approved did not set forth the fact that one of the wiretaps had already been initiated on May 9, 1969. If the theory is correct that Dr. Kissinger made the request for the wiretap during the conversation at 5:05 p.m. on May 9, 1969, it would have been logical under the circumstances to state in the memorandum that the request had been made for the wiretap on Halperin on May 9, 1969, and that, because of the urgency and source of the request, it had been initiated on the basis of expected authorization by the Attorney General on the following workday (Monday, May 12, 1969).

It can be speculated also that when the request was made late in the day (Friday) May 9, 1969, Sullivan had no reasonable expectation that the installation could be made prior to May 12, 1969, since it would be difficult to get the installation made on the evening of May 9, 1969, or during the weekend. This does not account for failure of the May 12, 1969, memorandum to state that the Halperin request was made

The Attorney General

May 9, 1969, instead of May 10, 1969, as set forth. However, in the haste to get the memorandum to the Attorney General, a shortcut in the administrative language could have occurred. In other words, in the preparation of the memorandum, it would have been much simpler to set forth that all of the wiretaps were requested by Colonel Haig on May 10, 1969, than to go into the more complicated details of one being requested May 9, 1969, by Kissinger and the others on May 10, 1969, by Colonel Haig.

The only other possibility is that Colonel Haig and W. C. Sullivan independently worked out the details early on May 9, 1969, and Sullivan bypassed Mr. Hoover on the Halperin request on May 9, 1969, ordering it without advance clearance from either Mr. Hoover or the Attorney General.

In any of these considerations, it must be remembered that, according to Sullivan's first memorandum on the subject dated May 11, 1969, he wrote that Colonel Haig had stressed that the matter was so sensitive that it demanded handling on a need-to-know basis, with no record being maintained. He said in fact, that if possible it would be desirable to have the matter handled without going to the Department of Justice; although Sullivan was told that the Attorney General was aware in general terms of the main elements of the security problem.

Here we have a request for a reversal of our normal operating procedures relating to wiretaps. Ordinarily, the FBI initiates the request for the wiretap. It is the FBI seeking authority under constitutional power of the President to install the wiretap, and the Attorney General, acting for the President, grants or denies that authority.

But in the case of the wiretaps in question, these were being requested from authority higher than the Attorney General; i.e., being requested in the name and office of the Presidency, which is the source of authority.

The Attorney General

It can, therefore, be stated that these wiretaps for and on behalf of the White House required no additional authorization or approval of the Attorney General. Therefore, the various memoranda to the Attorney General were merely a device to insure that the FBI was not acting unilaterally. Can the President instruct the Director of the FBI to install a national security wiretap without consulting the Attorney General? Our answer was that we believed he had the authority and we acted on that belief.

Many of the nagging questions could undoubtedly be answered, at least in part, if records could be located of Mr. Hoover's visit to Camp David, his telephone conversation with the President on May 2, 1969, and his meeting with Dr. Kissinger on May 5, 1969. We have not located these records. However, as noted in the attached report of interviews of Mr. Sullivan, he recalls reading memoranda relating to a Camp David meeting probably on April 25, 1969, and a meeting with Dr. Kissinger probably on May 5, 1969.

Mr. Sullivan recalls that subsequent to Mr. Hoover's meeting with the President at Camp David on April 25, 1969, Mr. Hoover showed him a memorandum he prepared concerning the meeting and told Sullivan that this memorandum would never leave his (Hoover's) office. According to Sullivan, this memorandum dealt with three main topics: (1) Then Deputy Attorney General Richard Kleindienst was pressing Mr. Hoover to testify before Congress on the FBI's electronic surveillance activities in general. Mr. Hoover was very much opposed. (2) The matter of the White House leaks was discussed, and the FBI was urged to do something about the problem. Mr. Hoover promised that the FBI would do something. (3) Criticism of Mr. Hoover was discussed, although Mr. Sullivan does not recall the nature of the criticism.

Sullivan also recalls that after Mr. Hoover's meeting with Dr. Kissinger on May 5, 1969, he saw a memorandum concerning the meeting with Dr. Kissinger. Sullivan said this memorandum recorded the fact that Dr. Kissinger had requested Mr. Hoover to utilize certain wiretaps in an effort to stop the leaks. However, Sullivan could not recall the names of any individuals mentioned.

The Attorney General

Unfortunately, Mr. Hoover's daily log does not show that Mr. Sullivan was in Mr. Hoover's office anytime between April 25, 1969, and May 31, 1969. However, in light of Mr. Sullivan's statement, the possibility should be considered that the daily log is not infallible.

Sullivan's recollection of the subject matter of the two memoranda described above is somewhat supportive of Dr. Kissinger's reported recollection of discussions prior to May 9, 1969, concerning the use of wiretaps in efforts to stop the leaks.

All of the evidence we have developed points to the fact that there was active collaboration between White House and FBI officials, including the President, Dr. Kissinger and then Colonel Haig, Mr. Hoover, Mr. Sullivan, and other FBI representatives in the attempt to identify and plug the leaks of extremely sensitive national security information. The White House obviously realized that in order to detect these leaks, which were coming from the very highest levels in the White House, extraordinary measures were necessary to prevent our investigative efforts from being exposed and neutralized. This factor, which in itself was a major problem, had to be considered along with the politically explosive factor of public reaction and opinion if the use of wiretaps against White House personnel and others were to be exposed.

By the same token, Mr. Hoover's reluctance to use wiretaps and his longstanding policy of requiring prior Attorney General authorization before wiretaps were used, may have been an annoyance to those in the White House who felt they were an important investigative tool. Couple this with W. C. Sullivan's personal philosophy that Mr. Hoover's wiretap policy was too restrictive and add the ingredient of the White House supporting his philosophy, rather than the restrictive Hoover policy, and the problems of misunderstanding and administrative mishandling are created. This entire analysis is dependent on the simple premise that the wiretaps were legal and proper and that whether Kissinger or the President or J. Edgar Hoover initiated them is irrelevant so long as the President approved of their use and/or was aware in advance of their proposed use and authorized them. We believe that Presidential approval was granted in advance, regardless of how it may have been expressed or given.

Enclosures - 18

1 - The Deputy Attorney General

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Date of transcription June 19, 1974DATE 5/6/82 BY 7858-SL/clf/ndcb6
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Mr. John P. Mohr, [redacted] Arlington, Virginia, former Assistant to the Director of the FBI, was interviewed at his residence.

It was explained to Mr. Mohr that logs in the possession of the FBI indicate that the late Director J. Edgar Hoover met at Camp David on April 25, 1969, with President Nixon and then Attorney General John N. Mitchell. Logs also indicate that on May 2, 1969, at 6:55 PM Mr. Hoover received a telephone call from President Nixon, which call was received at Mr. Hoover's residence, and on May 5, 1969, Dr. Kissinger visited with Mr. Hoover in the late Director's office at 4:27 PM. Mr. Mohr was further informed that memoranda concerning each of these three above-related incidents could not be located in FBI files. Mr. Mohr advised that Mr. Hoover nearly always recorded meetings and telephone conversations with important officials and that if he had dictated such memoranda they would in all probability have been dictated to Mrs. [redacted]. Mr. Mohr advised that he had absolutely no information as to whether memoranda were prepared by Mr. Hoover concerning the above-related incidents or if they were prepared did he have any idea where they might be located.

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Mr. Mohr continued that on May 2, 1972, the date of Mr. Hoover's death, he was instructed by Mr. Kleindienst to "secure" the Director's office. On receiving that instruction Mr. Mohr proceeded to Mr. Hoover's office and barred the cabinets in Mr. Hoover's office. He recalls that the official files of Mr. Hoover's office were later, on an unrecalled date, moved to then Acting Associate Director's office, Mr. Felt. Mr. Mohr was advised that all of the material from Mr. Hoover's office, which was later removed to Mr. Felt's office, had been inventoried and searched and no information pertaining to the seventeen wiretaps had been found in that material.

In the presence of interviewing Agents Mr. Mohr telephonically contacted former Associate Director Clyde Tolson. He telephonically reconstructed the three events listed above and inquired of Mr. Tolson if he had any recollection concerning memoranda that may have been prepared concerning same. Mr. Tolson replied to Mr. Mohr in the negative.

Interviewed on June 18, 1974 at Arlington, Virginia File # _____
by Assistant Director Odd T. Jacobson
and Inspector Thomas J. Smith:gms Date dictated June 10, 1974

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Mr. Tolson also advised Mr. Mohr that he had no recollection concerning Mr. Hoover having briefed him concerning any of these events and, therefore, was not in a position to advise concerning them nor of any memoranda prepared concerning them. Mr. Mohr did advise that in previous contacts with Mr. Tolson it had been determined that he has been having difficulty remembering events going back as far as five years.

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Miss Helen Gandy, Apartment 915, 4801 Connecticut Avenue, Northwest, Washington, D. C., former Executive Assistant to the late J. Edgar Hoover, was interviewed at her apartment and in the presence of former Assistant to the Director Mr. John P. Mohr.

Miss Gandy was informed that logs in the possession of the FBI indicate that former Director Hoover visited at Camp David on April 25, 1969, with President Nixon and former Attorney General John N. Mitchell. Logs further indicate that on May 2, 1969, at 6:55 PM Mr. Hoover received a telephone call from President Nixon, which call was received at Mr. Hoover's residence, and on May 5, 1969, Dr. Henry Kissinger visited with Mr. Hoover in the latter's office at 4:27 PM. Miss Gandy was requested to advise if she had any recollection concerning memoranda prepared depicting the results of the above three listed events. She replied that she could not recall ever having seen such memoranda but if they had been prepared in all probability they would have been dictated by the Director to Mrs. [redacted]. She advised that upon Mr. Hoover's death personal papers which were located in his office had been destroyed, but that the "official confidential files" pertaining to Mr. Hoover's office and which were maintained in her office had been sent to the office of Mr. Felt, the then Acting Associate Director. Miss Gandy advised that Mr. Hoover generally always recorded his conversations with important officials and, therefore, felt that Mr. Hoover would have recorded the three events, especially the April 25, 1969, meeting at Camp David and the meeting with Dr. Kissinger in his office on May 5, 1969.

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Interviewed on June 18, 1974 at Washington, D. C. File # _____

by Assistant Director Odd T. Jacobson
and Inspector Thomas J. Smith/wmj Date dictated June 19, 1974

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Date of transcription June 18, 1974b6
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1 Mr. William C. Sullivan, Sunset Road, who is a former Assistant Director and former Assistant to the Director of the Federal Bureau of Investigation, was telephonically contacted at his residence by Inspector

He was asked if he could furnish any information regarding the following matters.

1. A dinner at Camp David, Maryland, on Friday, April 25, 1969, at which President Nixon, Attorney General Mitchell, and J. Edgar Hoover were present.
2. A telephonic conversation between President Nixon and J. Edgar Hoover on Friday, May 2, 1969. This call was made to Mr. Hoover's home at 6:55 PM.
3. A meeting on May 5, 1969, at FBI Headquarters, Washington, D. C., between Dr. Kissinger and Mr. Hoover. This meeting began at 4:27 PM.
4. Mr. Sullivan's telephonic conversation with Mr. Hoover at 3:48 PM on 5/7/69.
5. A telephonic conversation between Mr. Sullivan and Mr. Hoover at 3:23 PM on May 9, 1969.

Regarding the dinner at Camp David, Maryland, Mr. Sullivan stated that it is his recollection that he went to see Mr. Hoover in Mr. Hoover's office sometime subsequent to the Camp David dinner, date of which was unrecalled by Mr. Sullivan. Mr. Sullivan stated that Mr. Hoover showed him a memorandum which Mr. Hoover indicated he was not sending outside of his office.

Mr. Sullivan stated it was his recollection that Mr. Hoover was upset during his conversation with Mr. Sullivan and that the memorandum shown to him by Mr. Hoover made mention of the desire of Richard Kleindienst, then Deputy Attorney General, for Mr. Hoover to testify later in 1969 in the U. S. Congress concerning FBI wiretaps. Sullivan indicated that the memorandum stated that Mr.

Interviewed on June 18, 1974 at Sugar Hill, New Hampshire File # _____

by Inspector /wmj Date dictated June 18, 1974

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Hoover indicated that he was not going to testify. Sullivan stated that the memorandum indicated that President Nixon had made some comment to the effect that he would talk to Kleindienst and get him straightened out.

Sullivan stated that the memorandum also indicated that President Nixon was disturbed about White House leaks of information and that the President had indicated something had to be done about it. According to Sullivan the memorandum indicated that Mr. Hoover told President Nixon that he would do something about the White House leaks but Sullivan indicated there was no reference in the memorandum to possible utilization of electronic surveillances.

Sullivan stated the memorandum also made mention of some criticism directed against Mr. Hoover; however, Sullivan could not recall the nature of this criticism or when and by whom it was made.

Sullivan stated that at the above-mentioned meeting with Mr. Hoover, Mr. Hoover did not ask him to do anything regarding the White House leaks.

Regarding President Nixon's telephonic conversation with Mr. Hoover on May 2, 1969, Mr. Sullivan indicated he had no recollection of having talked to Mr. Hoover regarding this conversation or having seen any memorandum written by Mr. Hoover regarding it.

Regarding the meeting between Dr. Kissinger and Mr. Hoover at FBI Headquarters on May 5, 1969, Mr. Sullivan recalled seeing a memorandum regarding a meeting between Dr. Kissinger and Mr. Hoover in early May, 1969, but he could not recall whether the memorandum he saw had to do with the May 5, 1969, meeting. He could not recall where or when he saw the memorandum. He recalled that the memorandum indicated that Dr. Kissinger had requested of Mr. Hoover that certain wiretaps be put on to counteract White House leaks of information. Mr. Sullivan did not recall the names of any individuals being mentioned. Mr. Sullivan stated that it is his recollection that the memorandum showed that Mr. Hoover had told Dr. Kissinger that the FBI could initiate the wiretaps requested and that it would be done. Mr. Sullivan stated he has no recollection of having received any request from Mr. Hoover for any necessary action based on information set forth in the memorandum.

Regarding Mr. Sullivan's telephone conversation with Mr. Hoover on May 7, 1969, Mr. Sullivan stated he had no recollection of the nature of this conversation or of ever having written or seen a memorandum which would set forth details regarding their conversation.

Regarding Mr. Hoover's telephone conversation with Mr. Sullivan on May 9, 1969, Mr. Sullivan stated he has no recollection of the nature of this conversation and does not remember either preparing a memorandum or seeing

a memorandum which pertained to this conversation.

In a subsequent telephonic contact on June 18, 1974, Mr. Sullivan advised Inspector [] that in connection with his meeting in Mr. Hoover's office sometime after the Camp David meeting referred to previously, he was requested to report to Mr. Hoover's office for this meeting.

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Mr. Sullivan indicated that his secretary, while he was Assistant Director of the FBI, maintained an appointment book for him and that he might possibly have this book presently in his possession. He stated he would attempt to locate it to see if there was any information therein which would have a bearing on dates he was in contact with Mr. Hoover during April and May, 1969. He stated that any pertinent information in the appointment book would be made known to Inspector []

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In a third telephonic conversation on June 18, 1974, Mr. Sullivan telephonically advised Inspector [] that he had located his appointment book. He stated there was no notation therein showing any meetings he had on May 7 or 9, 1969, with Mr. Hoover. In connection therewith he indicated that his appointment book normally contained appointments set up ahead of time and that if he received a telephone call to see a particular individual at FBI Headquarters this would not be set forth in the appointment book. He advised that the appointment book does not contain any notation regarding his meeting with Colonel Alexander Haig of the White House staff on May 10, 1969.

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Mr. William C. Sullivan, Sunset Road, who is a former Assistant Director and former Assistant to the Director of the Federal Bureau of Investigation, was interviewed by Inspectors [redacted], and Gerald D. Coakley regarding his recollection of the circumstances surrounding the initiation of electronic surveillance (ELSUR) coverage on Morton Halperin in May, 1969. The identities of Inspectors [redacted] and Coakley as members of the Inspection Division, FBI Headquarters, were made known to Mr. Sullivan at the outset of the interview.

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A copy of a memorandum from W. C. Sullivan to Mr. C. D. DeLoach dated May 11, 1969, and captioned "Colonel Alexander M. Haig, Technical Surveillance Request," together with a copy of a memorandum for the Attorney General dated May 12, 1969, captioned "Colonel Alexander M. Haig, Technical Surveillance Request," were shown to Mr. Sullivan. The May 12, 1969, memorandum indicated that on May 10, 1969, Colonel Haig, who was assigned to the staff of Dr. Henry A. Kissinger, had come to the Bureau and requested that a telephone surveillance be placed on four individuals including Morton Halperin.

After reviewing the May 11, 1969, memorandum, Mr. Sullivan acknowledged preparing it. He stated that at that time he was serving as Assistant Director, Domestic Intelligence Division, FBI Headquarters, Washington, D. C. Mr. Sullivan stated that due to the extremely sensitive nature of the coverage involved, he recalled that his memorandum suggested that Mr. Hoover might want to discuss the matter personally with the Attorney General. Mr. Sullivan stated that in normally handling ELSUR requests as Assistant Director he would make a direct recommendation as to whether or not the coverage should be initiated. He stated that the particular request of Colonel Haig was so sensitive that it necessitated specific discussion by Mr. Hoover with the Attorney General.

Mr. Sullivan was shown a copy of an FBI routing slip dated May 12, 1969, to which was attached a copy of the May 12, 1969, memorandum to the Attorney General referred to above. The routing slip stated that the attached (referring to the May 12, 1969, memorandum to the Attorney General) was approved by the Attorney General at 5:48 P.M., May 12, 1969. The routing slip contained a

Interviewed on June 15, 1974 at Sugar Hill, New Hampshire File # _____by Inspectors [redacted], and
Gerald D. Coakley/wmjb6
b7CDate dictated June 17, 1974

handwritten notation initiated by Miss Helen W. Gandy, then Executive Assistant to Mr. Hoover, which indicated that at 6:00 P.M., May 12, 1969, she called Mr. Sullivan and advised him of the Attorney General's approval. Mr. Sullivan stated he has no recollection of advising the Washington Field Office of the FBI to initiate the ELSUR coverage after he had received Miss Gandy's telephone call. He stated his normal procedure when receiving information that an ELSUR had been approved by the Attorney General was to telephonically contact Supervisor [redacted] of the Washington Field Office and instruct him to initiate the coverage. He stated he assumed that this was the procedure he followed when he received Miss Gandy's telephone call on May 12, 1969. b6 b7C

Mr. Sullivan was shown copies of ELSUR logs dated May 9, 10, and 11, 1969, which set forth results of the ELSUR coverage on Morton Halperin. He stated he had no recollection of seeing these particular logs but acknowledged that his handwriting appeared on the May 10, 1969, log. He indicated that at the outset of the initiation of the coverage on Morton Halperin he personally reviewed the logs which were hand-delivered to him in a sealed envelope by Special Agent Ernest Belter of the Washington Field Office. He stated that subsequently, due to the pressure of other business, he delegated the review of the logs to Special Agent Bernard Wells.

It was pointed out to Mr. Sullivan that the logs shown to him indicated that the ELSUR coverage on Halperin was approved by the Attorney General on May 12, 1969, whereas the logs showed that this coverage was in effect for three days prior to that date. He expressed complete surprise regarding this. He was asked how he could review the logs without noticing the dates thereof and realizing that the logs were dated prior to the receipt of the Attorney General's authority. He stated that his only way to explain this was that in reviewing mail he frequently read the contents thereof without paying particular attention to the dates thereof. He indicated that although he probably had seen the May 9, 10, and 11, 1969, logs on Halperin, he could not state on what date or dates he may have seen them. He stated he had not instructed the Washington Field Office to institute ELSUR coverage on Halperin on May 9, 1969, either on his own authority or anyone else's and that he would take an oath to this effect. He stated he could furnish no information which would shed any light on how the ELSUR coverage on Halperin could have been in effect from May 9 - 11, 1969, when the Attorney General had not given authorization for this coverage until May 12, 1969. Mr. Sullivan stated that if he had had the May 9, 1969, ELSUR log on Halperin in his possession when he met with Colonel Haig on May 10, 1969, he probably would have shown the log to Haig; however, he stated he had no recollection that this was done.

Mr. Sullivan stated that there was never any doubt in his mind that the ELSUR coverage requested by Colonel Halg concerned legitimate national security matters.

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Mr. Cartha D. DeLoach, 96 Perkins Road, who is a former Assistant to the Director of the Federal Bureau of Investigation, was interviewed by Inspector [redacted], and Inspector Gerald D. Coakley regarding his recollection of the circumstances surrounding the initiation of electronic surveillance (ELSUR) coverage on Morton Halperin in May, 1969. The identities of Inspectors [redacted] and Coakley as members of the Inspection Division, FBI Headquarters, were made known to Mr. DeLoach at the outset of the interview.

A copy of a memorandum from W. C. Sullivan to Mr. C. D. DeLoach dated May 11, 1969, and captioned "Colonel Alexander M. Haig, Technical Surveillance Request," together with a copy of a memorandum for the Attorney General dated May 12, 1969, captioned "Colonel Alexander M. Haig, Technical Surveillance Request," were shown to Mr. DeLoach. The May 12, 1969, memorandum indicated that on May 10, 1969, Colonel Haig, who was assigned to the staff of Dr. Henry A. Kissinger, had come to the Bureau and requested that a telephone surveillance be placed on four individuals including Morton Halperin.

He stated he has no recollection of having issued instructions to the Washington Field Office of the FBI to initiate ELSUR coverage on Morton Halperin or any other individual. He stated that in his capacity as Assistant to the Director of the FBI, he had occasion to review correspondence dealing with electronic surveillance coverage. He stated that if he received any correspondence indicating that an ELSUR had been approved by the Attorney General, he would route the mail back to the FBI Headquarters Division which had initiated the request.

Mr. DeLoach was shown copies of ELSUR logs dated May 9, 10, and 11, 1969, which set forth results of the ELSUR coverage on Morton Halperin. He stated that he had not seen these logs or any other logs pertaining to the ELSUR coverage on Halperin.

He stated he was aware of the concern expressed by the White House over leaks based on memoranda prepared by Mr. Hoover; however, he stated that the results of the ELSUR coverage based on the White House request

Interviewed on June 16, 1974 at Greenwich, Connecticut File # _____

Inspectors [redacted], and Gerald D. Coakley/wmj Date dictated June 17, 1974

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were handled directly by Mr. William C. Sullivan, then Assistant Director of the FBI, based on specific instructions of Mr. Hoover.

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[] Supervisor, Washington Field Office (WFO), Federal Bureau of Investigation, was interviewed at that office and advised he was being interviewed in connection with the circumstances surrounding the electronic surveillance (ELSUR) coverage on Morton Halperin in May, 1969.

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[] advised that to the best of his current recollection he initially received a telephone call from then Assistant Director William C. Sullivan of the Domestic Intelligence Division, who related he was calling [] because the Bureau wanted some special coverage conducted on the "highest authority." [] stated that Mr. Sullivan furnished him with the names of several persons on whom this coverage should be instituted but cannot recall specifically the identity of these individuals. [] stated he is unable to furnish the date or day of the week on which this call was received but does believe the call was received some time during the afternoon. In this regard, [] advised that he has no record of any kind which would record the date of this call and has absolutely no way to recall this information.

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[] continued that he did not consider it unusual for Mr. Sullivan to call him concerning this matter rather than the Special Agent in Charge pointing out that there had been occasions in the past where he had received telephonic instructions directly from Mr. Sullivan. [] advised that in the telephone call Mr. Sullivan did not explain what the purpose of the coverage was but [] assumed the purpose could pertain to leaks of information. [] reiterated that this was surmise on his part. [] recalled that Mr. Sullivan instructed that only one copy of the logs recording the results of the ELSUR be made and that these logs should be hand carried to Mr. Sullivan. [] stated that at some point he received an instruction from Mr. Sullivan that there should be no administrative communication prepared concerning this special coverage. [] continued that this particular instruction may have been given by Mr. Sullivan on the initial call or at a subsequent call. He also advised that he has no recollection of any statement made by Mr. Sullivan concerning whose specific authority had been obtained for the ELSUR coverage with the exception of Mr. Sullivan's previously referred

b6
b7CInterviewed on June 17, 1974 at Washington, D. C. File # _____by Inspector J. Allison Conley and [] /bhg Date dictated June 18, 1974b6
b7C

to remark that the coverage had been requested on the "highest authority." [] advised that as a Supervisor in WFO it was not his prerogative to question the identity of the "highest authority."

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b7C

[] continued that upon receiving these instructions from Mr. Sullivan he immediately contacted Special Agent Supervisor Ernest H. Belter and relayed Mr. Sullivan's instructions to SA Belter. [] is unable to recall whether he contacted SA Belter in person or by telephone. [] recalls that he and SA Belter did have a discussion as to the instructions from Mr. Sullivan that only one copy of the log should be made and no administrative data retained in the office and as a result of their discussion he and SA Belter mutually agreed that the usual procedure of having employees place their initials by log entries would be dispensed with in this instance. He states he feels that the reason for reaching this decision was based on the unusual nature of the instruction from Mr. Sullivan and he and SA Belter had no way of knowing what would eventually become of the logs that they were instructed to personally deliver to Mr. Sullivan, so he did not feel that the initials of the monitors should be set forth in the transcript.

b6
b7C

[] stated that with regard to the request for coverage of these individuals he dictated an unofficial type memorandum to his secretary setting forth the request received from Mr. Sullivan. He does not recall whether he showed this memorandum to SA Belter but as no administrative records were to be kept he maintained these memoranda in his safe and at such time as coverage on a specific individual was discontinued per Bureau instructions he would then destroy the informal memoranda. He related that he knows he did orally discuss Mr. Sullivan's request with then SAC Joseph D. Purvis but does not recall whether he furnished this information on the same day that he received the call from Mr. Sullivan. [] has a feeling that Mr. Purvis was not in the office at the time he received this instruction from Mr. Sullivan.

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b7C

In conclusion [] reiterated he could not fix the date or day of the week on which he received the instructions from Mr. Sullivan to institute coverage on Merton Halperin or others. He again stated he felt the call was received in the afternoon.

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b7C

FEDERAL BUREAU OF INVESTIGATION

**ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED**

1

Date of transcription June 18, 1974

DATE

5/6/82

BY 98583R

Cde/ndi

SA [redacted], Supervisor, Squad S-8, Washington Field Office (WFO), Federal Bureau of Investigation, advised that in 1969 he was an Agent assigned to this squad who had as one of his primary functions liaison with the Chesapeake and Potomac Telephone Company and specifically Mr. [redacted], who was at that time [redacted] of Government Communication Services, Chesapeake and Potomac Telephone Company. [redacted] related that in his liaison capacity he would normally physically contact Mr. [redacted] at Mr. [redacted] office at the phone company and relay the pertinent information needed to effect electronic surveillance (ELSUR) coverage. [redacted] advised that his liaison contacts with Mr. [redacted] would be initiated upon receipt of instructions from his immediate supervisor who at that time was Ernest H. Belter.

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b7C

SA [redacted] advised that he has no specific recollection of contacting Mr. [redacted] concerning effecting coverage of Morton Halperin or any other individuals during May of 1969. He also stated that he currently has no records concerning ELSUR coverage going back to 1969, explaining that his normal procedure at that time was to maintain in a black loose-leaf notebook the name, address, telephone number, and certain technical information of each ELSUR coverage. The purpose of his maintaining this information was in the event he received an inquiry from Mr. [redacted] at the phone company concerning any coverage then in effect so that he could knowledgeably discuss any technical questions Mr. [redacted] might have.

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b7C

SA [redacted] stated that concerning the ELSUR coverage on Halperin and others he does not believe he maintained his own individual records but rather let Supervisor Belter maintain the information that was needed in this regard. SA [redacted] stated he has no records which would refer to the ELSUR coverage placed on Morton Halperin or any other individuals in May, 1969.

b6
b7C

SA [redacted] continued that in the normal course of business he would personally visit Mr. [redacted], relay to him the telephone number on which ELSUR coverage was desired and Mr. [redacted] would then initiate action to implement the coverage. According to SA [redacted] on some occasions Mr. [redacted] was able to almost immediately institute the requested

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b7C

Interviewed on June 17, 1974 at Washington, D. C. File # _____

by Inspector J. Allison Conley and

Inspector [redacted] /bhg

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b7C

Date dictated June 18, 1974

coverage although variables did exist from time to time depending upon the geographical location of the telephone to be covered and there have been instances when it would take two or more days for Mr. [] to overcome the technical problems involved prior to initiating ELSUR coverage.

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b7C

According to SA [], Mr. [] maintained his own records concerning ELSUR coverage placed by the FBI and he is aware that at such time as he would personally and orally inform Mr. [] to discontinue a particular ELSUR, Mr. [] would erase his notations maintained on his records.

b6
b7C

FEDERAL BUREAU OF INVESTIGATION

**ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED**

1

Date of transcription June 18, 1974

DATE 5/16/82 BY 7858-SR/depude

Ernest H. Belter, 616 Ednor Road, Silver Spring, Maryland, retired Special Agent of the Federal Bureau of Investigation (FBI), advised on interview at his residence that in 1969 he was supervisor of Squad S-8, Washington Field Office (WFO) of the FBI.

Mr. Belter advised while he has no clear recollection as to specific time or date, sometime probably in the Spring of 1969, he was instructed to effect electronic surveillance (ELSUR) coverage on Morton Halperin, a man named Sonnenfeldt, and a man named Davidson. He believes there was a fourth person named but does not at this time recall the identity of this individual. Belter stated while he is not positive, he does think Supervisor [] of WFO personally came to his, Belter's, office with the instructions concerning the coverage to be effected on these individuals. He stated that he considered the instruction unusual in that Supervisor [] instructed only an original log should be maintained once coverage was effected, no index cards were to be made, no records were to be kept and no written information to the Bureau, and no symbol number would be designated. In other words, according to Mr. Belter, the normal and regular administrative devices he was required to perform with regard to ELSUR coverage were prohibited in this instance based on the instructions he received.

Mr. Belter was also instructed that the logs should be delivered to Mr. [] each morning after arrival of the 8:00 a.m. to 4:00 p.m. shift. In further discussing the initiation of these specific ELSURS, Mr. Belter recalled that on the day he received his instructions from Supervisor [], [] had notes written in long hand setting forth the identity of the individuals involved.

Mr. Belter stated that inasmuch as no official records were to be maintained regarding this coverage he kept his own hand-written record showing the identity of the person, address and telephone number as well as pair assignment on each ELSUR. He maintained this record on tablet paper as a running log and when the particular ELSUR coverage on an individual was taken off he would cross the name off the list. He recalled that eventually

Interviewed on June 17, 1974 at Silver Spring, Maryland File # _____

by Inspector J. Allison Conley and Inspector []/bhg Date dictated June 18, 1974

FBI LABORATORY WASHINGTON DC

LEAD ANALYSIS

20-MAY-83 01:01:58

Q6A

30426032 NC

SAMPLE WEIGHT: (UC) 13529.00
ACTIVATION: 19-MAY-83 09:50:00 NBS 10 MIN RT4
ACQUIRE DATE: 19-MAY-83 18:55:49 GEM 13
PRESET LIVE TIME: 900. SEC CALIB DATE: 19-MAY-83 09:54:58
ELAPSED REAL TIME: 942. SEC KEV/CHNL: 0.2500463
ELAPSED LIVE TIME: 900. SEC OFFSET: -0.0226080 KEV

2130:	61.	79.	53.	67.	92.	79.	87.	74.	73.
2139:	72.	77.	81.	86.	88.	92.	71.	67.	79.
2148:	68.	58.	63.	66.	74.	74.	57.	69.	66.
2157:	72.	66.	68.	72.	71.	62.	70.	72.	75.
2166:	75.	69.	55.	81.	79.	72.	77.	73.	84.
2175:	87.	61.	68.	71.	81.	75.	64.	71.	61.
2184:	64.	68.	62.	79.	54.	72.	69.	75.	58.
2193:	77.	84.	72.	72.	68.	77.	69.	83.	75.
2202:	78.	69.	76.	75.	76.	61.	83.	87.	96.
2211:	79.	87.	79.	79.	56.	89.	68.	93.	66.
2220:	87.	91.	84.	94.	90.	93.	116.	103.	110.
2229:	146.	166.	262.	363.	623.	1018.	1481.	1745.	1799.
2238:	1573.	1156.	781.	450.	268.	223.	218.	228.	236.
2247:	298.	405.	639.	1119.	2191.	4604.	8974.	15183.	22230.
2256:	26818.	27739.	23041.	15861.	9358.	4633.	1786.	659.	203.
2265:	95.	51.	38.	53.	53.	37.	51.	37.	43.
2274:	36.	37.	31.	41.	32.	39.	29.	41.	30.
2283:	25.	48.	36.	42.	29.	30.	43.	37.	32.
2292:	31.	33.	36.	24.	28.	31.	32.	35.	50.
2301:	38.	27.	35.	24.	35.	31.	31.	35.	25.
2310:	27.	27.	30.	32.	26.	20.	25.	27.	26.
2319:	28.	23.	34.	21.	29.	27.	22.	25.	18.
2328:	25.	26.	28.	23.	48.	31.	41.	38.	28.
2337:	36.	22.	34.	32.	22.	19.	30.	27.	27.
2346:	22.	25.	33.	22.	22.	25.	26.	28.	26.
2355:	23.	27.	25.	43.	27.	23.	29.	22.	21.
2364:	23.	24.	35.	22.	28.	30.	30.	25.	33.

% ANTIMONY 1.3041

% ARSENIC 0.0342

Bullet Lead-77-95-253072

FBI LABORATORY WASHINGTON DC

LEAD ANALYSIS

20-MAY-83 01:03:05

Q15.

30426032 NC

SAMPLE WEIGHT: (UG) 13356.00
 ACTIVATION: 19-MAY-83 09:50:00 NBS 10 MIN RT4
 ACQUIRE DATE: 19-MAY-83 19:11:43 GEM 13
 PRESET LIVE TIME: 900. SEC CALIB DATE: 19-MAY-83 09:54:58
 ELAPSED REAL TIME: 939. SEC KEV/CHNL: 0.2500463
 ELAPSED LIVE TIME: 900. SEC OFFSET: -0.0226080 KEV

ELEMENT	PEAK ENERGY	BKGND	AREA	CONCENTR.	1 SIGMA DEV	% DEV
%-COPPER	511.0	1003.	7470.	0.0256	0.0003	1.4
%-ANTIMONY	564.1	599.	152569.	1.2411	0.0039	0.3
%-ARSENIC	559.3	784.	6393.	0.0318	0.0005	1.5

	CU	SB	AS
CNTS/UG/MIN AT RD	243.4	67.9	128.83
CENTROID CHANNEL	2044	2256	2237
HALF-LIFE	12.8 H	2.7 D	26.3 H
BACKGROUND SPACING	50 L&R	80 L&R	30 L CH 2244 R
BACKGROUND CHANNELS	22 L&R	22 L&R	11 L 1 R
PEAK CHANNELS	13	13	5

1988:	64.	82.	83.	76.	82.	80.	101.	92.	93.
1997:	80.	88.	86.	97.	85.	96.	87.	86.	79.
2006:	102.	95.	79.	70.	88.	87.	72.	90.	77.
2015:	70.	71.	77.	88.	76.	94.	88.	85.	90.
2024:	78.	86.	98.	102.	89.	98.	92.	124.	123.
2033:	126.	141.	172.	229.	288.	370.	463.	580.	721.
2042:	768.	814.	894.	879.	804.	703.	614.	503.	360.
2051:	291.	218.	188.	143.	127.	117.	92.	98.	79.
2060:	68.	78.	83.	76.	81.	81.	75.	62.	70.
2069:	58.	77.	80.	69.	80.	40.	65.	72.	71.
2078:	51.	66.	66.	61.	59.	65.	77.	76.	68.
2087:	84.	72.	76.	70.	65.	67.	75.	68.	72.
2096:	71.	66.	67.	58.	74.	62.	71.	69.	84.
2105:	61.	64.	63.	70.	78.	69.	60.	68.	67.

% COPPER

0.0256

Bullet Lead-78-95-253072

FBI LABORATORY WASHINGTON DC
LEAD ANALYSIS
20-MAY-83 01:03:34

Q4E

30426032 NC

SAMPLE WEIGHT: (UG) 13356.00
ACTIVATION: 19-MAY-83 09:50:00 NBS 10 MIN RT4
ACQUIRE DATE: 19-MAY-83 19:11:43 GEM 13
PRESET LIVE TIME: 900. SEC CALIB DATE: 19-MAY-83 09:54:58
ELAPSED REAL TIME: 939. SEC KEV/CHNL: 0.2500463
ELAPSED LIVE TIME: 900. SEC OFFSET: -0.0226080 KEV

2130:	65.	56.	68.	61.	76.	54.	75.	84.	68.
2139:	52.	67.	53.	66.	87.	61.	66.	74.	72.
2148:	58.	51.	66.	60.	77.	70.	76.	67.	77.
2157:	71.	64.	60.	71.	70.	65.	70.	55.	70.
2166:	70.	70.	62.	56.	63.	73.	64.	77.	77.
2175:	56.	57.	72.	68.	64.	49.	66.	84.	52.
2184:	63.	59.	69.	61.	57.	72.	68.	67.	60.
2193:	66.	70.	64.	63.	66.	66.	74.	63.	76.
2202:	57.	84.	72.	77.	65.	66.	80.	74.	65.
2211:	70.	74.	68.	88.	75.	72.	96.	85.	78.
2220:	75.	75.	92.	85.	83.	82.	87.	92.	94.
2229:	101.	133.	183.	320.	532.	897.	1347.	1603.	1596.
2238:	1391.	1082.	715.	394.	278.	229.	179.	202.	236.
2247:	327.	364.	490.	972.	2055.	4225.	8320.	14336.	20858.
2256:	25294.	25643.	21822.	15191.	8662.	4159.	1631.	560.	209.
2265:	82.	55.	62.	43.	51.	47.	46.	23.	60.
2274:	25.	29.	34.	32.	25.	45.	26.	24.	21.
2283:	32.	31.	31.	43.	26.	34.	27.	22.	22.
2292:	33.	20.	17.	25.	41.	28.	25.	27.	24.
2301:	32.	26.	29.	19.	32.	24.	30.	30.	23.
2310:	20.	26.	19.	27.	24.	28.	33.	35.	22.
2319:	29.	19.	22.	28.	26.	28.	20.	33.	14.
2328:	21.	25.	25.	25.	25.	34.	38.	34.	30.
2337:	18.	17.	15.	33.	21.	29.	23.	26.	19.
2346:	26.	26.	22.	22.	22.	24.	17.	25.	19.
2355:	27.	25.	23.	18.	18.	22.	22.	29.	24.
2364:	28.	21.	22.	22.	21.	21.	23.	21.	27.

% ANTIMONY 1.2411

% ARSENIC 0.0318

Bullet Lead-79-95-253072

FBI LABORATORY WASHINGTON DC
LEAD ANALYSIS
20-MAY-83 01:04:41

Q&C

30426032 NC

SAMPLE WEIGHT: (UG) 14075.00
ACTIVATION: 19-MAY-83 09:50:00 NBS 10 MIN RT4
ACQUIRE DATE: 19-MAY-83 19:27:34 GEM 13
PRESET LIVE TIME: 900. SEC CALIB DATE: 19-MAY-83 09:54:58
ELAPSED REAL TIME: 943. SEC KEV/CHNL: 0.2500463
ELAPSED LIVE TIME: 900. SEC OFFSET: -0.0226080 KEV

ELEMENT	PEAK ENERGY	BKGND	AREA	CONCENTR.	1 SIGMA DEV	% DEV
%-COPPER	511.0	1139.	8210.	0.0271	0.0004	1.3
%-ANTIMONY	564.1	700.	170417.	1.3192	0.0040	0.3
%-ARSENIC	559.3	895.	7247.	0.0345	0.0005	1.4

	CU	SB	AS
CNTS/UG/MIN AT RD	243.4	67.9	128.83
CENTROID CHANNEL	2044	2256	2237
HALF-LIFE	12.8 H	2.7 D	26.3 H
BACKGROUND SPACING	50 L&R	80 L&R	30 L CH 2244 R
BACKGROUND CHANNELS	22 L&R	22 L&R	11 L 1 R
PEAK CHANNELS	13	13	5

1988:	94.	114.	111.	86.	102.	103.	97.	95.	88.
1997:	98.	89.	99.	91.	89.	92.	98.	102.	97.
2006:	89.	102.	109.	104.	104.	92.	107.	100.	87.
2015:	116.	84.	104.	94.	98.	88.	84.	82.	94.
2024:	97.	91.	86.	95.	88.	104.	123.	125.	115.
2033:	163.	173.	217.	262.	324.	388.	535.	622.	718.
2042:	882.	972.	939.	931.	954.	810.	641.	515.	442.
2051:	337.	253.	201.	173.	130.	138.	106.	108.	87.
2060:	78.	82.	78.	79.	77.	84.	81.	78.	65.
2069:	94.	88.	96.	86.	70.	88.	88.	92.	92.
2078:	71.	86.	73.	77.	84.	72.	84.	79.	75.
2087:	78.	77.	87.	69.	81.	71.	73.	67.	74.
2096:	69.	80.	89.	86.	70.	78.	83.	74.	72.
2105:	82.	82.	80.	73.	75.	89.	87.	71.	77.

% COPPER 0.0271

Bullet Lead-80-95-253072

FBI LABORATORY WASHINGTON DC
LEAD ANALYSIS
20-MAY-83 01:05:09

Q&C

30426032 NC

SAMPLE WEIGHT: (UG) 14075.00
ACTIVATION: 19-MAY-83 09:50:00 NBS 10 MIN RT4
ACQUIRE DATE: 19-MAY-83 19:27:34 GEM 13
PRESET LIVE TIME: 900. SEC CALIB DATE: 19-MAY-83 09:54:58
ELAPSED REAL TIME: 943. SEC KEV/CHNL: 0.2500463
ELAPSED LIVE TIME: 900. SEC OFFSET: -0.0226080 KEV

2130:	67.	63.	72.	74.	81.	79.	71.	90.	81.
2139:	76.	72.	60.	70.	77.	88.	60.	69.	80.
2148:	77.	73.	70.	84.	77.	73.	93.	79.	83.
2157:	85.	71.	80.	91.	77.	76.	84.	65.	89.
2166:	69.	66.	71.	73.	72.	63.	84.	85.	68.
2175:	86.	70.	79.	76.	81.	79.	75.	76.	82.
2184:	62.	80.	81.	87.	65.	89.	72.	82.	78.
2193:	75.	73.	97.	66.	83.	84.	87.	70.	84.
2202:	85.	77.	64.	89.	74.	76.	81.	97.	81.
2211:	80.	91.	83.	77.	94.	72.	101.	98.	96.
2220:	97.	109.	84.	99.	114.	92.	105.	114.	103.
2229:	151.	152.	229.	363.	640.	1027.	1502.	1821.	1858.
2238:	1621.	1231.	824.	488.	285.	238.	233.	244.	284.
2247:	339.	420.	631.	1032.	2199.	4736.	9242.	16016.	23256.
2256:	28348.	28803.	24287.	16891.	9710.	4695.	1902.	697.	229.
2265:	108.	64.	50.	44.	56.	41.	46.	40.	36.
2274:	36.	35.	35.	32.	37.	48.	41.	25.	42.
2283:	34.	31.	48.	34.	43.	46.	49.	45.	23.
2292:	27.	28.	47.	39.	25.	28.	18.	38.	22.
2301:	33.	34.	20.	38.	28.	27.	39.	29.	21.
2310:	27.	39.	25.	14.	36.	36.	33.	27.	18.
2319:	37.	22.	33.	33.	33.	33.	27.	35.	23.
2328:	32.	25.	31.	13.	40.	31.	35.	33.	35.
2337:	36.	37.	23.	30.	25.	30.	32.	31.	30.
2346:	30.	32.	30.	23.	35.	26.	28.	24.	33.
2355:	21.	31.	23.	24.	34.	20.	18.	18.	30.
2364:	22.	23.	43.	16.	24.	28.	36.	37.	25.

% ANTIMONY 1.3192

% ARSENIC 0.0345

Bullet Lead-81-95-253072

LEAD ANALYSIS

20-MAY-83 01:06:16

S626A

30426032 NC

SAMPLE WEIGHT: (UG) 14265.00
 ACTIVATION: 19-MAY-83 09:50:00 NBS 10 MIN RT4
 ACQUIRE DATE: 19-MAY-83 19:43:28 GEM 13
 PRESET LIVE TIME: 900. SEC CALIB DATE: 19-MAY-83 09:54:58
 ELAPSED REAL TIME: 926. SEC KEV/CHNL: 0.2500463
 ELAPSED LIVE TIME: 900. SEC OFFSET: -0.0226080 KEV

ELEMENT	PEAK ENERGY	BKGND	AREA	CONCENTR.	1 SIGMA DEV	% DEV
%-COPPER	511.0	639.	24028.	0.0794	0.0006	0.8
%-ANTIMONY	564.1	377.	94638.	0.7249	0.0027	0.4
%-ARSENIC	559.3	455.	616.	0.0029	0.0002	6.4

	CU	SB	AS
CNTS/UG/MIN AT RD	243.4	67.9	128.83
CENTROID CHANNEL	2044	2256	2237
HALF-LIFE	12.8 H	2.7 D	26.3 H
BACKGROUND SPACING	50 L&R	80 L&R	30 L CH 2242 R
BACKGROUND CHANNELS	22 L&R	22 L&R	11 L 1 R
PEAK CHANNELS	13	13	5

1988:	66.	53.	54.	60.	55.	52.	53.	61.	54.
1997:	58.	54.	62.	60.	59.	51.	53.	54.	74.
2006:	51.	54.	64.	49.	59.	63.	61.	66.	59.
2015:	45.	61.	64.	57.	58.	63.	53.	61.	59.
2024:	86.	64.	77.	80.	71.	115.	127.	154.	175.
2033:	217.	291.	392.	531.	731.	966.	1334.	1582.	2006.
2042:	2265.	2469.	2665.	2582.	2383.	2127.	1775.	1449.	1064.
2051:	787.	543.	376.	294.	195.	145.	121.	101.	82.
2060:	75.	66.	67.	48.	48.	47.	42.	48.	42.
2069:	45.	45.	52.	47.	34.	45.	41.	41.	46.
2078:	43.	37.	35.	40.	43.	43.	50.	32.	39.
2087:	41.	40.	48.	43.	46.	39.	36.	61.	40.
2096:	41.	38.	33.	40.	46.	51.	42.	42.	55.
2105:	43.	45.	41.	34.	35.	31.	43.	31.	43.

% COPPER

0.0794

Bullet Lead-82-95-253072

FBI LABORATORY WASHINGTON DC

LEAD ANALYSIS

20-MAY-83 01:06:45

5626A

30426032 NC

SAMPLE WEIGHT: (UC) 14265.00
ACTIVATION: 19-MAY-83 09:50:00 NBS 10 MIN RT4
ACQUIRE DATE: 19-MAY-83 19:43:28 GEM 13
PRESET LIVE TIME: 900. SEC CALIB DATE: 19-MAY-83 09:54:58
ELAPSED REAL TIME: 926. SEC KEV/CHNL: 0.2500463
ELAPSED LIVE TIME: 900. SEC OFFSET: -0.0226080 KEV

2130:	51.	46.	40.	33.	38.	42.	31.	43.	41.
2139:	48.	43.	40.	38.	52.	40.	40.	43.	39.
2148:	40.	37.	32.	44.	32.	33.	48.	36.	39.
2157:	45.	38.	40.	34.	28.	46.	31.	40.	37.
2166:	39.	41.	34.	37.	47.	38.	46.	37.	38.
2175:	44.	42.	43.	46.	40.	35.	58.	32.	32.
2184:	34.	36.	43.	25.	33.	42.	35.	38.	43.
2193:	33.	41.	50.	48.	41.	36.	37.	54.	40.
2202:	43.	40.	36.	42.	39.	34.	41.	49.	46.
2211:	40.	45.	45.	54.	44.	53.	51.	53.	49.
2220:	46.	57.	46.	42.	58.	53.	57.	37.	58.
2229:	61.	72.	68.	85.	125.	110.	159.	200.	210.
2238:	196.	172.	129.	109.	87.	110.	129.	111.	132.
2247:	178.	215.	311.	587.	1211.	2546.	5175.	8722.	12867.
2256:	15593.	16128.	13712.	9449.	5366.	2627.	1032.	393.	143.
2265:	42.	32.	33.	32.	19.	23.	17.	17.	18.
2274:	21.	14.	16.	20.	18.	20.	20.	15.	20.
2283:	17.	17.	19.	8.	23.	13.	15.	22.	10.
2292:	13.	17.	10.	15.	18.	19.	14.	9.	11.
2301:	9.	8.	18.	15.	13.	19.	8.	14.	13.
2310:	14.	10.	11.	15.	12.	10.	11.	14.	13.
2319:	9.	14.	11.	6.	17.	23.	17.	15.	21.
2328:	10.	14.	20.	25.	19.	15.	16.	14.	15.
2337:	11.	11.	19.	8.	18.	14.	20.	12.	6.
2346:	15.	16.	13.	14.	12.	12.	13.	13.	13.
2355:	11.	12.	13.	11.	11.	16.	11.	9.	7.
2364:	18.	9.	15.	7.	10.	18.	11.	14.	18.

% ANTIMONY 0.7245

% ARSENIC 0.0025

Bullet Lead-83-95-253072

FBI LABORATORY WASHINGTON DC

LEAD ANALYSIS

20-MAY-83 01:07:52

S626B

30426032 NC

SAMPLE WEIGHT: (UG) 17045.00
 ACTIVATION: 19-MAY-83 09:50:00 NBS 10 MIN RT4
 ACQUIRE DATE: 19-MAY-83 19:59:06 GEM 13
 PRESET LIVE TIME: 900. SEC CALIB DATE: 19-MAY-83 09:54:58
 ELAPSED REAL TIME: 931. SEC KEV/CHNL: 0.2500463
 ELAPSED LIVE TIME: 900. SEC OFFSET: -0.0226080 KEV

ELEMENT	PEAK ENERGY	BKGND	AREA	CONCENTR.	1 SIGMA DEV	% DEV
%-COPPER	511.0	777.	27290.	0.0765	0.0006	0.7
%-ANTIMONY	564.1	454.	111086.	0.7140	0.0025	0.3
%-ARSENIC	559.3	534.	689.	0.0027	0.0002	6.1

	CU	SB	AS
CNTS/UG/MIN AT RD	243.4	67.9	128.83
CENTROID CHANNEL	2044	2256	2236
HALF-LIFE	12.8 H	2.7 D	26.3 H
BACKGROUND SPACING	50 L&R	80 L&R	30 L CH 2242 R
BACKGROUND CHANNELS	22 L&R	22 L&R	11 L 1 R
PEAK CHANNELS	13	13	5

1988:	65.	80.	69.	61.	72.	71.	66.	73.	65.
1997:	78.	62.	64.	63.	69.	69.	71.	68.	61.
2006:	81.	77.	63.	64.	65.	69.	63.	73.	70.
2015:	67.	66.	72.	75.	65.	79.	98.	77.	72.
2024:	104.	102.	92.	88.	126.	119.	140.	181.	208.
2033:	265.	351.	489.	633.	834.	1128.	1424.	1941.	2282.
2042:	2622.	2872.	3026.	2984.	2687.	2327.	1976.	1577.	1221.
2051:	864.	643.	439.	320.	248.	200.	157.	123.	97.
2060:	89.	69.	82.	49.	65.	56.	59.	43.	55.
2069:	48.	47.	69.	38.	47.	52.	53.	56.	36.
2078:	38.	38.	49.	47.	55.	52.	39.	47.	39.
2087:	51.	56.	42.	44.	58.	47.	54.	57.	38.
2096:	49.	58.	63.	44.	52.	51.	57.	54.	52.
2105:	51.	38.	56.	56.	48.	49.	43.	56.	48.

% COPPER

0.0765

Bullet Lead-84-95-253072

FBI LABORATORY WASHINGTON DC
LEAD ANALYSIS
20-MAY-83 01:08:20

5626B

30425032 NC

SAMPLE WEIGHT: (UC) 17045.00
ACTIVATION: 19-MAY-83 09:50:00 NBS 10 MIN RT4
ACQUIRE DATE: 19-MAY-83 19:59:06 GEM 13
PRESET LIVE TIME: 900. SEC CALIB DATE: 19-MAY-83 09:54:58
ELAPSED REAL TIME: 931. SEC KEV/CHNL: 0.2500463
ELAPSED LIVE TIME: 900. SEC OFFSET: -0.0226080 KEV

2130:	51.	52.	55.	30.	51.	48.	52.	52.	46.
2139:	39.	52.	39.	53.	39.	45.	49.	51.	47.
2148:	35.	42.	43.	45.	58.	56.	40.	56.	56.
2157:	53.	37.	43.	50.	55.	39.	47.	43.	48.
2166:	40.	41.	50.	45.	50.	62.	42.	47.	50.
2175:	46.	49.	48.	48.	62.	52.	62.	37.	37.
2184:	46.	40.	49.	45.	33.	45.	51.	44.	50.
2193:	43.	49.	41.	39.	44.	59.	61.	38.	45.
2202:	44.	52.	51.	36.	46.	49.	40.	50.	51.
2211:	70.	58.	59.	52.	50.	46.	50.	59.	47.
2220:	48.	60.	51.	50.	50.	53.	58.	59.	68.
2229:	62.	78.	77.	109.	121.	168.	227.	245.	248.
2238:	230.	167.	163.	139.	123.	133.	124.	158.	166.
2247:	189.	251.	408.	721.	1401.	3057.	6170.	10559.	15132.
2256:	18267.	18820.	15772.	10940.	6434.	3000.	1267.	456.	137.
2265:	53.	38.	24.	26.	24.	18.	20.	21.	22.
2274:	18.	20.	14.	24.	21.	18.	12.	16.	20.
2283:	22.	17.	20.	19.	26.	23.	21.	22.	27.
2292:	18.	18.	16.	20.	17.	17.	16.	23.	13.
2301:	16.	15.	21.	26.	20.	17.	13.	13.	16.
2310:	15.	27.	25.	21.	14.	17.	15.	12.	21.
2319:	16.	15.	18.	25.	25.	18.	8.	17.	19.
2328:	19.	18.	18.	21.	20.	26.	27.	22.	14.
2337:	11.	14.	15.	14.	17.	16.	19.	19.	14.
2346:	16.	16.	15.	15.	13.	8.	11.	16.	15.
2355:	13.	10.	11.	16.	18.	12.	20.	16.	16.
2364:	6.	30.	14.	16.	13.	16.	19.	9.	21.

% ANTIMONY 0.7140

% ARSENIC 0.0027

Bullet Lead-85-95-253072

FBI LABORATORY WASHINGTON DC

LEAD ANALYSIS

20-MAY-83 01:09:27

5626C

30426092 NC

SAMPLE WEIGHT: (UG) 17693.00
 ACTIVATION: 19-MAY-83 09:50:00 NBS 10 MIN RT4
 ACQUIRE DATE: 19-MAY-83 20:14:48 GEM 13
 PRESET LIVE TIME: 900. SEC CALIB DATE: 19-MAY-83 09:54:58
 ELAPSED REAL TIME: 933. SEC KEV/CHNL: 0.2500463
 ELAPSED LIVE TIME: 900. SEC OFFSET: -0.0226080 KEV

ELEMENT	PEAK ENERGY	BKGND	AREA	CONCENTR.	1 SIGMA DEV	% DEV
%-COPPER	511.0	828.	28616.	0.0784	0.0006	0.7
%-ANTIMONY	564.1	456.	116254.	0.7219	0.0025	0.3
%-ARSENIC	559.3	583.	749.	0.0029	0.0002	5.9

	CU	SB	AS
CNTS/UG/MIN AT RD	243.4	67.9	128.83
CENTROID CHANNEL	2044	2256	2237
HALF-LIFE	12.8 H	2.7 D	26.3 H
BACKGROUND SPACING	50 L&R	80 L&R	30 L CH 2244 R
BACKGROUND CHANNELS	22 L&R	22 L&R	11 L 1 R
PEAK CHANNELS	13	13	5

1988:	63.	84.	72.	89.	67.	70.	65.	81.	66.
1997:	80.	75.	65.	70.	70.	81.	73.	65.	70.
2006:	70.	82.	57.	58.	77.	72.	71.	62.	70.
2015:	88.	96.	76.	71.	64.	73.	70.	84.	78.
2024:	76.	96.	97.	115.	117.	155.	164.	190.	255.
2033:	305.	356.	474.	606.	891.	1171.	1570.	2023.	2463.
2042:	2778.	2915.	3020.	3068.	2850.	2496.	2161.	1672.	1257.
2051:	907.	654.	422.	336.	254.	180.	165.	134.	88.
2060:	79.	79.	71.	59.	59.	67.	50.	69.	68.
2069:	39.	61.	63.	54.	59.	60.	46.	52.	47.
2078:	61.	58.	53.	50.	44.	54.	42.	49.	49.
2087:	61.	52.	58.	59.	56.	40.	48.	54.	53.
2096:	47.	59.	56.	58.	48.	47.	49.	56.	71.
2105:	55.	42.	50.	51.	45.	45.	58.	46.	36.

% COPPER

0.0784

Bullet Lead-86-95-253072

FBI LABORATORY WASHINGTON DC

LEAD ANALYSIS

20-MAY-83 01:09:53

56260

30426032 NC

SAMPLE WEIGHT: (UG) 17693.00

ACTIVATION: 19-MAY-83 09:50:00

NBS 10 MIN RT4

ACQUIRE DATE: 19-MAY-83 20:14:48

GEM 13

PRESET LIVE TIME: 900. SEC

CALIB DATE: 19-MAY-83 09:54:58

ELAPSED REAL TIME: 933. SEC

KEV/CHNL: 0.2500463

ELAPSED LIVE TIME: 900. SEC

OFFSET: -0.0226080 KEV

2130:	57.	47.	35.	57.	35.	47.	63.	45.	52.
2139:	46.	59.	47.	53.	44.	51.	51.	55.	51.
2148:	50.	48.	54.	56.	45.	52.	54.	45.	53.
2157:	48.	44.	51.	45.	47.	45.	57.	42.	45.
2166:	47.	42.	35.	41.	45.	44.	60.	42.	63.
2175:	46.	48.	45.	51.	55.	50.	47.	49.	48.
2184:	47.	51.	61.	51.	45.	53.	43.	51.	45.
2193:	44.	47.	57.	48.	50.	54.	43.	54.	53.
2202:	48.	57.	46.	51.	42.	71.	60.	55.	43.
2211:	61.	49.	41.	76.	61.	63.	68.	50.	56.
2220:	60.	50.	67.	56.	62.	63.	62.	60.	81.
2229:	62.	52.	73.	95.	136.	166.	212.	256.	278.
2238:	249.	209.	181.	147.	131.	142.	129.	152.	165.
2247:	209.	249.	370.	684.	1502.	3217.	6405.	10733.	16051.
2256:	19219.	19527.	16668.	11475.	6638.	3261.	1330.	477.	156.
2265:	60.	34.	37.	33.	22.	22.	21.	25.	27.
2274:	24.	28.	25.	12.	26.	20.	23.	25.	15.
2283:	24.	28.	22.	17.	17.	18.	20.	21.	17.
2292:	23.	28.	19.	15.	16.	20.	20.	17.	19.
2301:	12.	29.	17.	19.	20.	19.	19.	14.	18.
2310:	21.	18.	17.	15.	12.	21.	22.	22.	18.
2319:	19.	21.	18.	22.	18.	20.	12.	16.	18.
2328:	20.	19.	15.	21.	14.	25.	31.	26.	12.
2337:	23.	18.	12.	17.	22.	13.	18.	19.	13.
2346:	16.	17.	13.	6.	14.	15.	25.	11.	16.
2355:	15.	10.	16.	15.	10.	21.	19.	15.	23.
2364:	18.	22.	8.	18.	20.	14.	19.	25.	23.

% ANTIMONY

0.7215

% ARSENIC

0.0025

Bullet Lead-87-95-253072

FBI LABORATORY WASHINGTON DC

LEAD ANALYSIS

20-MAY-83 01:11:02

5504A

30425032 NC

SAMPLE WEIGHT: (UG) 9920.000
 ACTIVATION: 19-MAY-83 09:50:00 NBS 10 MIN RT4
 ACQUIRE DATE: 19-MAY-83 20:30:35 GEM 13
 PRESET LIVE TIME: 900. SEC CALIB DATE: 19-MAY-83 09:54:58
 ELAPSED REAL TIME: 942. SEC KEV/CHNL: 0.2500463
 ELAPSED LIVE TIME: 900. SEC OFFSET: -0.0226080 KEV

ELEMENT	PEAK ENERGY	BKGND	AREA	CONCENTR.	1 SIGMA DEV	% DEV
%-COPPER	511.0	1132.	1386.	0.0069	0.0003	4.4
%-ANTIMONY	564.1	697.	165384.	1.8363	0.0056	0.3
%-ARSENIC	559.3	879.	14203.	0.0985	0.0010	1.0

	CU	SB	AS
CNTS/UG/MIN AT RD	243.4	67.9	128.83
CENTROID CHANNEL	2044	2256	2237
HALF-LIFE	12.8 H	2.7 D	26.3 H
BACKGROUND SPACING	50 L&R	80 L&R	30 L CH 2245 R
BACKGROUND CHANNELS	22 L&R	22 L&R	11 L 1 R
PEAK CHANNELS	13	13	5

1988:	113.	108.	93.	91.	81.	93.	86.	97.	97.
1997:	97.	85.	102.	97.	96.	83.	104.	102.	92.
2006:	99.	90.	108.	81.	93.	97.	78.	78.	95.
2015:	77.	80.	93.	102.	92.	88.	74.	96.	86.
2024:	83.	99.	88.	87.	97.	78.	92.	97.	98.
2033:	94.	110.	108.	121.	129.	140.	173.	174.	216.
2042:	214.	254.	246.	199.	221.	198.	182.	153.	148.
2051:	134.	103.	96.	85.	115.	78.	92.	79.	89.
2060:	92.	77.	85.	80.	71.	78.	87.	86.	95.
2069:	90.	86.	88.	91.	72.	94.	89.	68.	74.
2078:	83.	56.	92.	89.	88.	83.	82.	83.	79.
2087:	79.	66.	92.	82.	79.	64.	75.	84.	86.
2096:	73.	85.	73.	92.	85.	90.	79.	83.	65.
2105:	74.	81.	78.	98.	104.	94.	94.	81.	78.

% COPPER

0.0069

Bullet Lead-88-95-253072

FBI LABORATORY WASHINGTON DC

LEAD ANALYSIS

20-MAY-83 01:11:30

S604A

30426032 NC

SAMPLE WEIGHT: (UC) 9920.000

ACTIVATION: 19-MAY-83 09:50:00

NBS 10 MIN RT4

ACQUIRE DATE: 19-MAY-83 20:30:35

GEM 13

PRESET LIVE TIME: 900. SEC

CALIB DATE: 19-MAY-83 09:54:58

ELAPSED REAL TIME: 942. SEC

KEV/CHNL: 0.2500463

ELAPSED LIVE TIME: 900. SEC

OFFSET: -0.0226080 KEV

2130:	66.	84.	79.	75.	85.	59.	82.	78.	86.
2139:	80.	68.	69.	68.	70.	77.	69.	62.	87.
2148:	69.	79.	65.	79.	62.	70.	94.	60.	67.
2157:	81.	53.	76.	65.	90.	64.	82.	80.	72.
2166:	63.	91.	72.	94.	103.	64.	90.	67.	54.
2175:	68.	91.	81.	81.	67.	90.	78.	64.	93.
2184:	70.	79.	76.	80.	81.	73.	67.	69.	65.
2193:	84.	75.	74.	66.	84.	70.	86.	91.	71.
2202:	63.	70.	75.	88.	85.	84.	89.	75.	93.
2211:	74.	83.	89.	88.	94.	77.	103.	84.	114.
2220:	99.	94.	110.	101.	117.	112.	1112.	122.	157.
2229:	178.	182.	315.	543.	1068.	1951.	2742.	3325.	3586.
2238:	3088.	2254.	1419.	746.	420.	259.	254.	237.	276.
2247:	320.	413.	613.	1102.	2270.	4551.	8869.	15559.	22385.
2256:	27395.	27936.	23539.	16270.	9498.	4718.	1939.	667.	236.
2265:	93.	54.	51.	53.	45.	38.	43.	43.	52.
2274:	33.	39.	49.	49.	33.	41.	41.	40.	40.
2283:	36.	43.	39.	52.	43.	32.	42.	32.	26.
2292:	23.	26.	29.	30.	33.	36.	35.	46.	38.
2301:	34.	46.	41.	24.	30.	23.	28.	31.	21.
2310:	32.	38.	37.	27.	23.	30.	22.	28.	35.
2319:	27.	23.	25.	27.	25.	21.	26.	25.	23.
2328:	21.	17.	28.	26.	47.	36.	42.	34.	24.
2337:	25.	26.	35.	30.	23.	24.	26.	23.	37.
2346:	19.	18.	32.	26.	22.	28.	24.	19.	24.
2355:	29.	22.	32.	30.	17.	23.	26.	24.	17.
2364:	33.	29.	24.	29.	27.	25.	21.	32.	26.

% ANTIMONY

1.18363

% ARSENIC

0.0965

Bullet Lead-89-95-253072